Trump Pandemic Warning Timeline

DATE	NOTIFICATION/ WARNING	BACKUP
January 10, 2017	Dr. Fauci Warned The Trump Administration To Prepare For A Pandemic	Newsweek, 3/12/20
January 13, 2017	The Incoming Trump Administration Conducted An Infectious Disease Strategy Simulation Organized By The Obama Administration	Politico, 3/16/20
2017	The Trump Administration Was Briefed On The "Pandemic Playbook" Drafted By The NSC Global Health Security Unit	Politico, 3/25/20
May 2018	Trump Disbanded The NSA Global Health Security Unit	MSNBC, 2/28/20
January 29, 2019	An Intelligence Report Was Published Stating The U.S. Was "Vulnerable To The Next Flu Pandemic Or Large Scale Outbreak Of A Contagious Disease	Time, 3/9/20
January 2019 – August 2019	HHS Conducted A Pandemic Strategy Simulation Referred To As The Crimson Contagion Exercises	New York Times, 3/19/20
February 12, 2019	Trump Postponed A Presentation From The Director Of Intelligence To The Worldwide Threat Assessment To The House And Senate Intelligence Committees	Time, 3/9/20
June 24, 2019	A Published FEMA Report Stated HHS Dismissed A Mandate Requiring The Creation Of A Detailed Plan For Securing And Managing Emergency Supplies	LA Times, 3/27/20 FEMA, 6/24/19
July 25, 2019	FEMA Predicted The United States Would Struggle To Effectively Response To A Nationwide Pandemic	NPR, 4/9/20 FEMA, 7/25/19
July 2019	The CDC Foreign Disease Expert Leading The U.S. Field Epidemiology Training Program In China Resigned	Reuters, 3/22/20
September 2019	The Trump Administration Eliminated The CDC's China Based Medical Epidemiology Trainer Position	Reuters, 3/22/20
September 2019	The Council Of Economic Advisors Published A Report Sharing The Potential Death Total And Economic Damage Of A U.S Pandemic	New York Times, 3/31/20
October 2019	HHS Released A Report Saying The Federal Government Was Underfunded, Underprepared And Uncoordinated To Combat A Virus For Which No Treatment Existed	New York Times, 3/19/20
November 2019	The National Center For Medical Intelligence Uncovered And Briefed The White House On The Spread Of A Virus From China	ABC News, 4/8/20
December 2019	NCMI Briefed The National Security Council And Other Government Agencies On The Ongoing Outbreak	ABC News, 4/8/20

December 31, 2019	The CDC First Learned Of A "Cluster Of 27 Cases Of Pneumonia' Of Unexplained Origin" In Wuhan China	Reuters, 3/22/20
January, 2020	The Trump Administration Failed To Consult The "Pandemic Playbook" Drafted By The Disbanded NSA Global Health Security Unit To Address National Health Emergencies	Politico, 3/25/20
January 2, 2020	The CDC Director Warned The National Security Council About The Threat Of A Developing And Spreading Virus In China	Politico, 4/2/20
January 7, 2020	Chinese Authorities Confirm The Unknown Pathogen Is A Strain Of Novel Coronavirus	New York Times, 1/8/20 WHO, 1/12/20
January 18, 2020	Trump Sidelined Coronavirus Discussion With Secretary Azar In Order To Discuss Lifting Restrictions On Vaping Products	Washington Post, 3/20/20
January 29, 2020	Top White House Advisor, Peter Navarro Circulated A Memo Warning That COVID-19 Could Become A National Pandemic	New York Times, 4/6/20
January 2020	The Director Of National Intelligence And CIA Intelligence Briefings Primarily Discussed The Threat Of COVID-19	Washington Post, 3/20/20
January 30, 2020	The World Health Organization Declared A Global Health Emergency	New York Times, 1/30/20
February 23, 2020	Top White House Advisor, Peter Navarro Circulated A Second Memo To Administration Staff Emphasizing The Impact COVID-19 Could	New York Times, 4/6/20
February 25, 2020	The CDC Warned The Spread Of Coronavirus Was Inevitable And Predicted Severe Disruptions To Daily Life	Stat News, 2/25/20
March 11, 2020	The World Health Organization Declares A Global Pandemic	WHO, 3/11/20
March 26, 2020	The U.S. Reports More Cases Than Any Other Country	New York Times, 3/26/20

September 2019: The Council Of Economic Advisors Published A Report Warning Of A Potentially Catastrophic Death Toll And Economic Damage From A Pandemic Flu In The U.S.

September 2019: Trump Ignored Warnings From The White House Council Of Economic Advisors Regarding The Potential Threat Posed To The United States In The Event Of A National Pandemic Scenario. According to The New York Times, "White House economists published a study last September that warned a pandemic disease could kill a half million Americans and devastate the economy. It went unheeded inside the administration. In late February and early March, as the coronavirus pandemic began to spread from China to the rest of the world, President Trump's top economic advisers played down the threat the virus posed to the U.S. economy and public health. 'I don't think corona is as big a threat as people make it out to be,' the acting chairman of the Council of Economic Advisers, Tomas Philipson, told reporters during a Feb. 18 briefing, on the same day that more than a dozen American cruise ship passengers who had contracted the virus were evacuated home. Public

health threats did not typically hurt the economy, Mr. Philipson said. He suggested the virus would not be nearly as bad as a normal flu season. The 2019 study warned otherwise — specifically urging Americans not to conflate the risks of a typical flu and a pandemic. The existence of that warning undermines administration officials' contentions in recent weeks that no one could have seen the virus damaging the economy as it has. The study was requested by the National Security Council, according to two people familiar with the matter." [New York Times, 3/31/20]

March, 2020: CEA Report Contributor Warned Economic Suppression Could Last 2 To 8 Months

The Former White House Economist And Author Of The CEA Pandemic Report, Anna Scherbina Asserted The Economic Suppression Could Range From Two To Eight Months Severely Damaging The Economy, But Potentially Would Save Nearly 2 Million Lives. According to The New York Times, "Outside economists have been pumping out analyses on the optimal length of a shutdown almost daily. One that has been shared with officials inside the White House comes from Anna Scherbina, an author of the 2019 study who is now an economist at Brandeis University and the American Enterprise Institute. […] In a best-case scenario, Ms. Scherbina concludes, a national suppression of economic activity to flatten the infection curve must last at least seven weeks. In a worst case, where the shutdown proves less effective at slowing the rate of new infections, it would be economically optimal to keep the economy shuttered for nearly eight months. Suppression efforts inflict considerable damage on the economy, reducing activity by about $36 billion per week, the study estimates. Ms. Scherbina said the optimal durations would remain largely unchanged even if the weekly damage was twice that high. But the efforts would save nearly two million lives when compared with a scenario in which the government did nothing to suppress the economy and the spread of the virus, Ms. Scherbina estimates, because doing nothing would impose a $13 trillion cost to the economy — equal to about two-thirds of the amount of economic activity that the United States was projected to generate this year before the virus struck. Ms. Scherbina based her estimates on the models she built when she was a senior economist at the Council of Economic Advisers and an author of the September paper, 'Mitigating the Impact of Pandemic Influenza Through Vaccine Innovation,' which warned of potentially catastrophic death tolls and economic damage from a pandemic flu in the United States." [New York Times, 3/31/20]

Starting In December 2019, The White House Was Warned Multiple Times Of Danger Posed By Coronavirus By The Intelligence Community And Peter Navarro

DECEMBER, 2019: MILITARY'S NATIONAL CENTER FOR MEDICAL INTELLIGENCE NOVEMBER REPORT WARNED OF THE SPREAD OF COVID-19

November, 2019: A National Center For Medical Intelligence Report Warned Of A Potential "Cataclysmic Event" From The Spread Of The Coronavirus. According to ABC News, "As far back as late November, U.S. intelligence officials were warning that a contagion was sweeping through China's Wuhan region, changing the patterns of life and business and posing a threat to the population, according to four sources briefed on the secret reporting. Concerns about what is now known to be the novel coronavirus pandemic were detailed in a November intelligence report by the military's National Center for Medical Intelligence (NCMI), according to two officials familiar with the document's contents. The report was the result of analysis of wire and computer intercepts, coupled with satellite images. It raised alarms because an out-of-control disease would pose a serious threat to U.S. forces in Asia -- forces that depend on the NCMI's work. And it paints a picture of an American government that could have ramped up mitigation and containment efforts far earlier to prepare for a crisis poised to come home. 'Analysts concluded it could be a cataclysmic event,' one of the sources said of the NCMI's report. 'It was then briefed multiple times to' the Defense Intelligence Agency, the Pentagon's Joint Staff and the White House." [ABC News, 4/8/20]

December, 2019: White House'sNational Security Council And Policy Makers Across The Government Were Briefed. According to ABC News, "From that warning in November, the sources described repeated briefings through December for policy-makers and decision-makers across the federal government as well as the National Security Council at the White House. All of that culminated with a detailed explanation of the problem that appeared in the President's Daily Brief of intelligence matters in early January, the sources said. For something to have appeared in the PDB, it would have had to go through weeks of vetting and analysis, according to people

who have worked on presidential briefings in both Republican and Democratic administrations. 'The timeline of the intel side of this may be further back than we're discussing,' the source said of preliminary reports from Wuhan. 'But this was definitely being briefed beginning at the end of November as something the military needed to take a posture on.'" [ABC News, 4/8/20]

Early January, 2020:Briefings Culminated In Detailed Explanation In President's Daily Briefing Materials. According to ABC News, "From that warning in November, the sources described repeated briefings through December for policy-makers and decision-makers across the federal government as well as the National Security Council at the White House. All of that culminated with a detailed explanation of the problem that appeared in the President's Daily Brief of intelligence matters in early January, the sources said. For something to have appeared in the PDB, it would have had to go through weeks of vetting and analysis, according to people who have worked on presidential briefings in both Republican and Democratic administrations. 'The timeline of the intel side of this may be further back than we're discussing,' the source said of preliminary reports from Wuhan. 'But this was definitely being briefed beginning at the end of November as something the military needed to take a posture on.'" [ABC News, 4/8/20]

LATE NOVEMBER, 2019: INTELLIGENCE COMMUNITY CIRCULATED REPORTS THAT SAID CHINA WAS KEEPING INFORMATION ON SPREAD FROM FOREIGN GOVERNMENTS

Thanksgiving, 2019: After NCMI Report, Intelligence Community Circulated Bulletins That Said China's Leaders Knew Epidemic Was Out Of Control And Kept Information From Foreign Governments. According to ABC News, "The NCMI report was made available widely to people authorized to access intelligence community alerts. Following the report's release, other intelligence community bulletins began circulating through confidential channels across the government around Thanksgiving, the sources said. Those analyses said China's leadership knew the epidemic was out of control even as it kept such crucial information from foreign governments and public health agencies." [ABC News, 4/8/20]

JANUARY – FEBRUARY, 2020: U.S. INTELLIGENCE AGENCIES ISSUED REPORTS ON CORONAVIRUS SPREAD; WARNED OF GLOBAL THREAT

January – February, 2020: U.S. Intelligence Agencies Issued Reports That Coronavirus Posed A Global Danger. According to the Washington Post, "U.S. intelligence agencies were issuing ominous, classified warnings in January and February about the global danger posed by the coronavirus while President Trump and lawmakers played down the threat and failed to take action that might have slowed the spread of the pathogen, according to U.S. officials familiar with spy agency reporting. The intelligence reports didn't predict when the virus might land on U.S. shores or recommend particular steps that public health officials should take, issues outside the purview of the intelligence agencies. But they did track the spread of the virus in China, and later in other countries, and warned that Chinese officials appeared to be minimizing the severity of the outbreak. Taken together, the reports and warnings painted an early picture of a virus that showed the characteristics of a globe-encircling pandemic that could require governments to take swift actions to contain it. But despite that constant flow of reporting, Trump continued publicly and privately to play down the threat the virus posed to Americans. Lawmakers, too, did not grapple with the virus in earnest until this month, as officials scrambled to keep citizens in their homes and hospitals braced for a surge in patients suffering from covid-19, the disease caused by the coronavirus. [Washington Post, 3/20/20]

Intelligence Agencies And Trump Advisers Warned That Chinese Officials Were Minimizing Outbreak

Intelligence Agencies Warned That Chinese Officials Appeared To Be Minimizing Severity Of Outbreak. According to the Washington Post, "The intelligence reports didn't predict when the virus might land on U.S. shores or recommend particular steps that public health officials should take, issues outside the purview of the intelligence agencies. But they did track the spread of the virus in China, and later in other countries, and warned that Chinese officials appeared to be minimizing the severity of the outbreak." [Washington Post, 3/20/20]

Trump's Advisers Told Him Chinese Officials Were Not Providing Accurate Numbers. According to the Washington Post, "Some of Trump's advisers told him that Beijing was not providing accurate numbers of people who were infected or who had died, according to administration officials. Rather than press China to be more forthcoming, Trump publicly praised its response." [Washington Post, 3/20/20]

Trump's Advisors Could Not Get Him To Take The Coronavirus Seriously

Trump Advisors Struggled To Get Him To Take Coronavirus Seriously. According to the Washington Post, "Inside the White House, Trump's advisers struggled to get him to take the virus seriously, according to multiple officials with knowledge of meetings among those advisers and with the president." [Washington Post, 3/20/20]

- **January 18, 2020: Trump Sidelined Coronavirus Conversation With Azar To Ask When Vaping Products Would Be Back On The Market.** According to the Washington Post, "Azar couldn't get through to Trump to speak with him about the virus until Jan. 18, according to two senior administration officials. When he reached Trump by phone, the president interjected to ask about vaping and when flavored vaping products would be back on the market, the senior administration officials said." [Washington Post, 3/20/20]

Trump Dismissed Coronavirus In Early Meetings Because He Believed It Had Not Spread Widely Through U.S. According to the Washington Post, "Mulvaney then began convening more regular meetings. In early briefings, however, officials said Trump was dismissive because he did not believe that the virus had spread widely throughout the United States." [Washington Post, 3/20/20]

End Of January: Intelligence Warnings Increased In Volume

Intelligence Warnings Increased In Volume Toward End Of January Into Early February; Majority Of Daily Briefing Materials From ODNI And CIA Was COVID-19 Materials. According to the Washington Post, "The warnings from U.S. intelligence agencies increased in volume toward the end of January and into early February, said officials familiar with the reports. By then, a majority of the intelligence reporting included in daily briefing papers and digests from the Office of the Director of National Intelligence and the CIA was about covid-19, said officials who have read the reports." [Washington Post, 3/20/20]

JANUARY – FEBRUARY NAVARRO MEMOS WARNED OF CORONAVIRUS IMPACT; TRUMP SAID HE NEVER READ THEM

Trump Admitted He Never Read Navarro Memos Circulated In January And February Regarding The Threat Of Coronavirus. According to USA Today, "President Donald Trump said Tuesday he has not seen memos in which one of his top advisers warned earlier this year that a coronavirus pandemic could endanger millions of Americans, but that even if he had, it would not have changed his response to the crisis. Peter Navarro, the top trade and manufacturing aide to the president, laid out the warning in two memos – one on Jan. 29 and another on Feb. 23 – while Trump played down concerns about the coronavirus, according to reports from the New York Times and Axios. Trump said he didn't know about the memos until a couple of days ago. 'I asked him about it a little while ago because I read something about a memo,' Trump said during a White House coronavirus briefing. Trump downplayed Navarro's warnings, arguing that he already had started to move to shut down U.S. borders by the time the memos were written. 'Ultimately, I did more or less what the memo said right around the time the memo came out,' Trump said." [USA Today, 4/7/20]

January 29, 2020: Navarro Sent A Memo To Members Of The Trump Administration Warning About The Risk Of The Spread Of Coronavirus

January 29, 2020: Top Trump Advisor Peter Navarro Circulated A Memo Through The Trump Administration Warning About The Threat Of Coronavirus That Stated, "This Lack Of Protection Elevates The Risk Of Coronavirus Evolving Into A Full-Blown Pandemic" According to The New York Times, "A top White House adviser starkly warned Trump administration officials in late January that the coronavirus crisis could cost the United States trillions of dollars and put millions of Americans at risk of illness or death. The warning, written in a memo by Peter Navarro, President Trump's trade adviser, is the highest-level alert known to have circulated inside the West Wing as the administration was taking its first substantive steps to confront a crisis that had already consumed China's leaders and would go on to upend life in Europe and the United States. 'The lack of immune protection or an existing cure or vaccine would leave Americans defenseless in the case of a full-blown coronavirus outbreak on U.S. soil,' Mr. Navarro's memo said. 'This lack of protection elevates the risk of the coronavirus evolving into a full-blown pandemic, imperiling the lives of millions of Americans. Dated Jan. 29, it came during a period when Mr. Trump was playing down the risks to the United States, and he would later go on to say that no one could have predicted such a devastating outcome." [New York Times, 4/6/20]

February 23, 2020: Navarro Circulated A Second Memo In Which He Reemphasizing The Spread Of Coronavirus As A Threat To American Lives

February 23, 2020: Navarro Sent A Second Memo To Trump And The Coronavirus Taskforce Emphasizing The "Increase Probability Of A Full Blown COVID-19 Pandemic." According to The New York Times, "A second memo that Mr. Navarro wrote, dated Feb. 23, warned of an 'increasing probability of a full-blown COVID-19 pandemic that could infect as many as 100 million Americans, with a loss of life of as many as 1.2 million souls.' At that time, Mr. Trump was still downplaying the threat of the virus. The administration was considering asking Congress for more money to address the situation, and the second memo, which circulated around the West Wing and was obtained by The Times, urged an immediate supplemental spending appropriation from Congress of at least $3 billion. 'This is NOT a time for penny-pinching or horse trading on the Hill,' Mr. Navarro wrote in the second memo, which was unsigned but which officials attributed to him. It was unclear whether Mr. Trump saw the second memo, whose contents were first reported by Axios. The second memo seemed aimed at members of the White House Task Force established by Mr. Trump to manage the crisis, and reflected deep divisions within the administration about how to proceed and persistent feuding between Mr. Navarro and many other top officials about his role and his views." [New York Times, 4/6/20]

2019: Trump Administration Ignored Warnings And Sidelined Institutional Knowledge

JULY 2019: FEMA PUBLISHED A REPORT THAT PREDICTED THE US WAS UNPREPARED TO ADDRESS A NATION WIDE PANDEMIC

July 2019: FEMA Released A Report That, Based On US Pandemic Preparedness, Predicted Mass Shortages Of Medical Supplies, Overwhelmed Hospitals, And Economic Crisis. According to NPR, "In a remarkably prophetic report last summer, the Federal Emergency Management Agency accurately predicted that a nationwide pandemic would result in a shortage of medical supplies, hospitals would be overwhelmed and the economy would shut down. The warnings were contained in the 2019 National Threat and Hazard Identification and Risk Assessment, published last July. Its existence was first reported by E&E News. The pandemic warning was part of an array of nine scenarios that were gamed out by FEMA, including 'both natural and human-caused incidents — that would most challenge the Nation's capabilities.' FEMA said the report was aimed at helping federal, state and local governments to prepare for various scenarios. Under the pandemic scenario, the Centers for Disease Control and Prevention detect a novel influenza virus which infects 30% of the population in the U.S. and worldwide causing severe illness. 'Conventional flu vaccines are ineffective against the current strain, and the CDC estimates that a new vaccine could be months away from mass production. Because of the pandemic, social distancing is in widespread effect,' FEMA predicted." [NPR, 4/9/20]

JANUARY – AUGUST, 2019: HHS RAN A RESPIRATORY VIRUS PANDEMIC SIMULATION; RESULTS SHOWED GOVERNMENT WAS UNDERFUNDED, UNDERPREPARED, AND UNCOORDINATED

January – August, 2019: HHS Ran Respiratory Virus Pandemic Simulation Code-Named "Crimson Contagion." According to the New York Times, "WASHINGTON — The outbreak of the respiratory virus began in China and was quickly spread around the world by air travelers, who ran high fevers. In the United States, it was first detected in Chicago, and 47 days later, the World Health Organization declared a pandemic. By then it was too late: 110 million Americans were expected to become ill, leading to 7.7 million hospitalized and 586,000 dead. That scenario, code-named "Crimson Contagion" and imagining an influenza pandemic, was simulated by the Trump administration's Department of Health and Human Services in a series of exercises that ran from last January to August." [NYT, 3/22/20]

Simulation Results Draft Report Laid Out How "Underfunded, Underprepared And Uncoordinated" The Federal Government Would Be In The Face OF A Pandemic. According to the New York Times, "The simulation's sobering results — contained in a draft report dated October 2019 that has not previously been reported — drove home just how underfunded, underprepared and uncoordinated the federal government would be for a life-or-death battle with a virus for which no treatment existed. The draft report, marked "not to be disclosed," laid out in stark detail repeated cases of "confusion" in the exercise. Federal agencies jockeyed over who

was in charge. State officials and hospitals struggled to figure out what kind of equipment was stockpiled or available. Cities and states went their own ways on school closings." [NYT, 3/22/20]

Trump Failed To Utilize The National Security Council's Strategic "Playbook" For Responding To A Global Pandemic

Trump Ignored The Response Strategies Outlined In The NSC Pandemic Playbook. According to Politico, "The NSC devised the guide — officially called the Playbook for Early Response to High-Consequence Emerging Infectious Disease Threats and Biological Incidents, but known colloquially as 'the pandemic playbook' — across 2016. The project was driven by career civil servants as well as political appointees, aware that global leaders had initially fumbled their response to the 2014-2015 spread of Ebola and wanting to be sure that the next response to an epidemic was better handled. […] The document rested with NSC officials who dealt with medical preparedness and biodefense in the global health security directorate, which the Trump administration disbanded in 2018, four former officials said. The document was originally overseen by Beth Cameron, a former civil servant who led the directorate before leaving the White House in March 2017. Cameron confirmed to POLITICO that the directorate created a playbook for NSC staff intended to help officials confront a range of potential biological threats. But under the Trump administration, 'it just sat as a document that people worked on that was thrown onto a shelf,' said one former U.S. official, who served in both the Obama and Trump administrations. 'It's hard to tell how much senior leaders at agencies were even aware that this existed' or thought it was just another layer of unnecessary bureaucracy." [Politico, 3/25/20]

Pandemic Playbook Was Designed To Coordinate An All-Of-Government Approach With Which The Trump Administration Has Struggled. According to Politico, "The NSC playbook would have been especially useful in helping to drive the administration's response to coronavirus, given that it was intended to guide urgent decisions and coordinate the all-of-government approach that Trump so far has struggled to muster, said people familiar with the document. The color-coded playbook contains different sections based on the relative risk — green for normal operations, yellow for elevated threat, orange for credible threat and red once a public health emergency is declared — and details the potential roles of dozens of departments and agencies, from key players like the Health and Human Services department to the Department of Transportation and the FBI. It also includes sample documents intended to be used at coordinating meetings." [Politico, 3/25/20]

Trump Waited Weeks Before Fully Enlisting Federal Agencies To Support A "Whole Of Government" Response To The Coronavirus Crisis

March 17, 2020: "After Many Pleas," Trump Moved To Enlist More Agencies In A 'Whole Of Government' Response To The Virus Four Days After HHS Report Concluded That The 'Pandemic Will Last 18 Months Or Longer.' According to the New York Times, "After so many pleas, President Trump moved on Tuesday to begin enlisting much of his government in what the White House had called for weeks a 'whole of government' approach to the rampaging coronavirus. 'We are starting the process,' Mr. Trump said during a news conference Tuesday afternoon, referring to New York's request to enlist the Army Corps of Engineers. 'The state is working on it very hard themselves, but we'll probably supplement what they're doing.' The shift came four days after an internal report from the Department of Health and Human Services — not yet shared with the public — concluded that the 'pandemic will last 18 months or longer and could include multiple waves of illness.'" [New York Times, 3/17/20]

March 17, 2020: Government Agencies Had Not Been Deployed Or Supported To Operate At Their Fullest Capabilities In Response To The Corona Crisis. According to the New York Times, "Much of that capacity is untapped. Hospital ships are at port. The Department of Veterans Affairs, legally designated as the backup health care system in national emergencies, awaits requests for help. The veterans department has a surplus of beds in many of its 172 hospital centers and a robust number of special rooms for patients with breathing disorders. The sprawling system of emergency doctors and nurses ready to be deployed by the Department of Health and Human Services — known as the National Disaster Medical System — is also still waiting for orders, other than to staff locations where passengers offloaded from cruise ships are being quarantined. And the Defense

Department, home to 1.3 million active-duty troops and a civilian and military infrastructure that has made planning for national emergencies almost an art form, has yet to be deployed to its fullest capabilities." [New York Times, 3/17/20]

TRUMP DELAYED AUTHORIZING THE DEPARTMENT OF DEFENSE TO ALLOCATE MILITARY RESOURCES TOWARDS COMBATING THE SPREAD OF CORONAVIRUS

Weeks Into The Outbreak Trump Tapped The Department Of Defense To Assist In Combating The Growing Coronavirus Outbreak

Trump Deployed US Naval Hospital Ships. According to CNN, "President Donald Trump said during Wednesday's White House press briefing that he will be invoking the Defense Production Act to help make up for potential medical supply shortages and deploy two hospital ships as the US battles the coronavirus pandemic. Trump said that he sees the country on wartime footing and himself as a wartime president amid the coronavirus crisis. 'I view it -- in a sense as a wartime president,' Trump said after announcing he was invoking the Defense Production Act, which was established in 1950 in response to production needs during the Korean War." [CNN, 3/18/20]

USNS Comfort Was Predicted To Take A "Few Weeks" To Reach New York, Eventually Pulling Into NYC In 12 Days

Contrary To Trump's Claim, Pentagon Officials Stated Only One Hospital Ship Was Preparing To Deploy And Could Take "A Few Weeks" To Reach New York. According to CNN, "The President also announced during Wednesday's briefing that two hospital ships were preparing to deploy in response to New York, which has been heavily impacted by the coronavirus, though Pentagon spokesman Jonathan Hoffman said only one ship, the US Navy hospital USNS Comfort, was currently slated to go there at this time. […] But the USNS Comfort could still be a 'few weeks' away from arriving in New York, a US defense official told CNN. Trump said Wednesday that the administration is still evaluating where to send ships on the West Coast" [CNN, 3/18/20]

3/30/20: The Comfort Arrived In NYC. According to Politico, "The USNS Comfort arrived in New York on Monday, bringing a massive Navy hospital ship to help relieve city hospitals overwhelmed by coronavirus patients. The 1,000-bed floating hospital docked Monday at Pier 90 on Manhattan's West Side, and is set to begin treating patients Tuesday." [Politico, 3/30/20]

The DOD Prepared High-Demand Medical Supplies For Distribution As Health Industry Groups Had Warned Of Shortages For Days And Weeks

The DOD Announced The Donation Of Essential Medical Equipment Weeks After Concerns Were Raised About Looming Supply Shortages. According to CNN, "Defense Secretary Mark Esper said at Wednesday's briefing that the Defense Department will make available up to 5 million N95 masks and other personal protective equipment from US strategic reserves. 'The first 1 million masks will be available immediately,' he said. He also said they are also prepared to distribute 'up to 2,000 operational deployable ventilators for use as needed' the Department of Health and Human Services. The medical supply and personnel assistance comes following growing concerns for weeks, if not months, about a broad variety of shortages at hospitals. Former US Surgeon General Vivek Murthy said Sunday some doctors and nurses are already short on equipment such as gowns and gloves, and industry groups have been sounding the alarm with the Trump administration about possible shortages in supplies for several days, even weeks. State officials and hospitals have also been sounding the alarm about projected shortages of hospital beds to deal with critical coronavirus cases. The major US lab industry group has raised concerns with federal agencies over the past week about potential shortages of supplies, including N95 face masks and hand sanitizer." [CNN, 3/18/20]

Donald Trump Failed To Properly Mobilize The Army Corps Of Engineers

Governor Cuomo Said New York Wanted Help From Army Corps Of Engineers To Help Set Up Temporary Hospitals. According to the New York Times, "Mr. Cuomo expressed appreciation for the rapidly growing capacity to conduct coronavirus tests, which has been the delay that so far has drawn the most attention. But the real need now is for a much broader response, he said. His wants the Army Corps of Engineers to help New York set up temporary hospitals — as he said he fears the state is about to face a disastrous shortage of hospital beds, particularly in intensive care units." [NYT, 3/17/20]

March 17, 2020: Trump Said He Was "Starting The Process" To Enlist The Army Corps Of Engineers. According to the New York Times, "After so many pleas, President Trump moved on Tuesday to begin enlisting much of his government in what the White House had called for weeks a 'whole of government' approach to the rampaging coronavirus. 'We are starting the process,' Mr. Trump said during a news conference Tuesday afternoon, referring to New York's request to enlist the Army Corps of Engineers. 'The state is working on it very hard themselves, but we'll probably supplement what they're doing.' The shift came four days after an internal report from the Department of Health and Human Services — not yet shared with the public — concluded that the 'pandemic will last 18 months or longer and could include multiple waves of illness.'" [New York Times, 3/17/20]

March 17, 2020: Army Corps Of Engineers Said It Had Not Been Given Directions By Trump Administration. According to the New York Times, "Yet despite promises of a "whole of government" effort, key agencies — like the Army Corps of Engineers, other parts of the Defense Department, the Federal Emergency Management Agency and the Department of Veterans Affairs — had not been asked to play much of a role. Even after Mr. Trump committed to supporting the states on Tuesday, the Army Corps of Engineers said it still had not received direction from the administration." [NYT, 3/17/20]

The Trump Administration Initially Refused To Allow States To Use Medicaid To Respond To COVID-19 Until Trump Declared A National Emergency

Trump Administration Refused To Allow States To Expand Medicaid Services To More Effectively Respond To The Coronavirus Crisis. According to Los Angeles Times, "Despite mounting pleas from California and other states, the Trump administration isn't allowing states to use Medicaid more freely to respond to the coronavirus crisis by expanding medical services. In previous emergencies, including the 9/11 terrorist attacks, Hurricane Katrina and the H1N1 flu outbreak, both Republican and Democratic administrations loosened Medicaid rules to empower states to meet surging needs. But months into the current global disease outbreak, the White House and senior federal health officials haven't taken the necessary steps to give states simple pathways to fully leverage the mammoth safety net program to prevent a wider epidemic. That's making it harder for states to quickly sign up poor patients for coverage so they can get necessary testing or treatment if they are exposed to coronavirus. And it threatens to slow efforts by states to bring on new medical providers, set up emergency clinics or begin quarantining and caring for homeless Americans at high risk from the virus. 'If they wanted to do it, they could do it,' said Cindy Mann, who oversaw the Medicaid program in the Obama administration and worked with states to help respond to the H1N1 crisis in 2009." [Los Angeles Times, 3/13/20]

CMS Said It Could Not Provide Waivers Until And Unless Trump Declared A National Emergency. According to Los Angeles Times, "In response to questions about how her agency, known as CMS, is handling state concerns, Verma's office noted that the agency is trying to assist states, providing answers to frequently asked questions and hosting nationwide calls with state health officials. The agency noted that some waivers are not possible because Trump hasn't declared a national emergency. 'Waivers cannot be invoked until and unless there is a Presidential Stafford Act declaration,' the agency noted, saying that it was 'prepared to exercise that authority should it become available.' Medicaid, the half-century-old government safety net program, and the related Children's Health Insurance Program provide health insurance to more than 70 million low-income Americans, many of whom gained coverage through the 2010 Affordable Care Act. To control fraud, the program has extensive rules dictating who is eligible and what kinds of medical services can be covered; federal officials can penalize states that don't scrutinize who receives benefits. During major disasters, CMS has traditionally loosened these rules." [Los Angeles Times, 3/13/20]

Trump Administration Failed To Equip And Protect Federal Workers

HHS WHISTLEBLOWER CLAIMED THAT U.S. WORKERS WITHOUT PROTECTIVE GEAR OR TRAINING ASSISTED CORONAVIRUS EVACUEES

A Health And Human Services Whistleblower Claimed That U.S. Workers Without Protective Gear Or Training Assisted Coronavirus Evacuees. According to the Washington Post, "Officials at the Department of Health and Human Services sent more than a dozen workers to receive the first Americans evacuated from Wuhan, China, the epicenter of the coronavirus outbreak, without proper training for infection control or appropriate protective gear, according to a whistleblower complaint. The workers did not show symptoms of infection and were

not tested for the virus, according to lawyers for the whistleblower, a senior HHS official based in Washington who oversees workers at the Administration for Children and Families, a unit within HHS […] The complaint alleges HHS staffers were 'improperly deployed' and were 'not properly trained or equipped to operate in a public health emergency situation.' The complaint also alleges the workers were potentially exposed to coronavirus because appropriate steps were not taken to protect them and staffers were not trained in wearing personal protective equipment, even though they had face-to-face contact with returning passengers. The workers were in contact with passengers in an airplane hangar where evacuees were received and on two other occasions: when they helped distribute keys for room assignments and hand out colored ribbons for identification purposes." [Washington Post, 2/27/20]

- **The Whistleblower Sought Federal Protection, Alleging She Was Unfairly And Improperly Reassigned After Raising Her Concerns.** According to Washington Post, "The whistleblower is seeking federal protection, alleging she was unfairly and improperly reassigned after raising concerns about the safety of these workers to HHS officials, including those within the office of Health and Human Services Secretary Alex Azar. She was told Feb. 19 that if she does not accept the new position in 15 days, which is March 5, she would be terminated." [Washington Post, 2/27/20]

After HHS Workers Were Deployed To Assist Evacuees, They Returned To Normal Duties In Offices Around The Country With Some Taking Commercial Flights. According to the Washington Post, "The deployments took place Jan. 28 to 31, around the time when the first planeload of evacuees arrived at March, and Feb. 2 to Feb. 7, during the time when additional flights were arriving at Travis. The planes each carried about 200 Americans who were repatriated from Wuhan. After their deployments, the workers returned to their normal duties, some taking commercial airline flights to return to their offices around the country, the lawyers said. "Our client was concerned that ACF staff — who were potentially exposed to the coronavirus — were allowed to leave quarantined areas and return to their communities, where they may have spread the coronavirus to others," said Lauren Naylor, one of the whistleblower's lawyers." [Washington Post, 2/27/20]

CDC MEDICAL WORKERS AT AIRPORTS EXPRESSED CONCERNS OF INADEQUATE ACCESS TO PROTECTIVE GEAR WHEN CONDUCTING SCREENINGS FOR COVID-19

CDC Medical Workers Expressed Serious Concerns About The Lack Of Effective Resources To Protect Them From Contracting The Virus. According to Reuters, As coronavirus cases exploded across the world, federal medical workers tasked with screening incoming passengers at U.S. airports grew alarmed: Many were working without the most effective masks to protect them from getting sick themselves. Screeners with the U.S. Centers for Disease Control and Prevention asked their supervisors this week to change official protocols and require stronger masks, according to an internal document reviewed by Reuters. On Friday evening, they learned their worst fears were realized: Two screeners, both working at Los Angeles International Airport (LAX), had tested positive for the virus. [Reuters, 3/7/20]

USDA TOLD MEAT PACKAGING AND PROCESSING PLANT INSPECTORS TO SECURE THEIR OWN CORONAVIRUS PROTECTIVE GEAR

The USDA Requested Their Meat Packing Plant Inspectors Acquire Their Own Protective Gear Despite The Death Of A USDA Inspector From Coronavirus And Over 100 Inspectors Infected. According to Politico, "The U.S. Department of Agriculture is asking its employees who inspect meatpacking plants to obtain their own protective gear even after the death of one of their own from the coronavirus. These inspectors, responsible for overseeing the safety and labeling of products, work alongside company employees on slaughter lines. But the government hasn't been able to procure enough face masks for all roughly 8,000 of them. In early April, USDA said it would provide a one-time $50 reimbursement for the inspectors to find their own. More than 100 inspectors have tested positive for coronavirus since the outbreak began, USDA said. The lack of safety gear is prompting an outcry among the union representing inspectors and those representing plant workers. They say the federal government has fumbled through an inadequate response to hundreds of positive tests among meatpacking employees, several deaths and numerous plant closures that are stirring fears of meat shortages. One inspector who worked for the department's Food Safety Inspection Service and was based in New York City died from the coronavirus in March after visiting plants while potentially infected." [Politico, 4/22/20]

WHITE HOUSE TOLD HHS TO CLASSIFY CORONAVIRUS DELIBERATIONS WHICH RESTRICTRED PARTICIPANTS

In An Unusual Step, The White House Ordered Federal Health Officials to Treat Top-Level Coronavirus Meetings As Classified, Which Restricted Participants. According to Reuters, "The White House has ordered federal health officials to treat top-level coronavirus meetings as classified, an unusual step that has restricted information and hampered the U.S. government's response to the contagion, according to four Trump administration officials. The officials said that dozens of classified discussions about such topics as the scope of infections, quarantines and travel restrictions have been held since mid-January in a high-security meeting room at the Department of Health & Human Services (HHS), a key player in the fight against the coronavirus […] 'We had some very critical people who did not have security clearances who could not go,' one official said. 'These should not be classified meetings. It was unnecessary.'" [Reuters, 3/11/20]

AFTER WEEK OF CONFUSION, GOVERNMENT WORKERS TOLD TO WORK FROM HOME

After A Week Of Confusion, The Federal Government Directed Its Employees To Work From Home. According to the New York Times, "The federal government on Monday began directing its employees to work from home, after a week of confusion as some workers were told to report to the office even as public health officials implored employers to keep people at home. Facing mounting criticism and anxiety from federal employees, the Trump administration on Sunday night issued new guidance that allowed some to voluntarily work from home. That memo replaced an earlier directive that said only people at high risk of health problems could telework, and it came days after waves of schools, libraries, restaurants, churches, arenas and other businesses had shuttered to prevent the spread of the novel coronavirus." [New York Times, 3/16/20]

The Latest Directive Was Another Example Of The Trump Administration Lagging Behind The Private Sector And State And Local Governments. According to the New York Times, "The latest directive was yet another moment when the Trump administration lagged behind the private sector — and some state and local governments — in moving to confront the pandemic and combat its rapid spread, contributing to a general sense of disarray in the government's response. It is also emblematic of the tone projected by President Trump, who has worked to play down the threat from the virus even as his public health officials have issued increasingly urgent warnings. The result has been that the nation's 2.1 million federal workers — spread across law enforcement, diplomatic functions, education, the military and the country's social safety nets — have received mixed messages about whether they can take the advice of public health officials to take aggressive action to distance themselves from others to slow the spread of the virus." [New York Times, 3/16/20]

HHS KEPT ITS GYM OPEN DURING CORONAVIRUS PANDEMIC

HHS Kept Its Gym Open As The Coronavirus Pandemic Closed Private Gyms. According to Politico, "The federal health department kept its own fitness center open even as the coronavirus outbreak raged and private gyms shuttered their doors. Staff at the Health and Human Services department received an email on Wednesday afternoon, which was shared with POLITICO, reminding them that 'the HHS fitness center remains open.' An attendant at the gym around 1 p.m. on Thursday also confirmed that the facility was open […] The HHS fitness center stayed open even as gyms around the country temporarily closed after the White House last week warned against gatherings of more than 10 people and called for Americans to self-isolate. Meanwhile, White House coronavirus coordinator Deborah Birx and other top health officials have warned that the coronavirus is likely being spread through traces of the virus left on commonly used surfaces, like subway poles, and have urged Americans to take caution when using shared spaces." [Politico, 3/26/20]

US SERVICE MEMBERS WERE SICKENED AND DIED FROM CORONAVIRUS

Two Service Members Died From Covid-19 With Nearly 6,000 Diagnosed. According to the Military Times, "As of Friday, 5,959 troops have been diagnosed, 161 of whom have been hospitalized, with 3,103 recoveries and two deaths. That brings the infection rate among service members to almost 0.3 percent, as the nationwide rate has climbed to just under 0.5 percent." [Military Times, 5/22/20]

The Captain Of U.S. Navy Nuclear Aircraft Carrier Had To Plead For Isolation Resources For His 100+ Crew-Members With Covid-19

The Captain Of A US Aircraft Carrier Pleaded With Officials To Provide Isolation And Medical Resources For His 100+ Covid-19 Positive Crew-Members. According to San Francisco Chronicle, "The captain of a nuclear aircraft carrier with more than 100 sailors infected with the coronavirus pleaded Monday with U.S. Navy officials for resources to allow isolation of his entire crew and avoid possible deaths in a situation he described as quickly deteriorating. The unusual plea from Capt. Brett Crozier, a Santa Rosa native, came in a letter obtained exclusively by The Chronicle and confirmed by a senior officer on board the aircraft carrier Theodore Roosevelt, which has been docked in Guam following a COVID-19 outbreak among the crew of more than 4,000 less than a week ago. 'This will require a political solution but it is the right thing to do,' Crozier wrote. 'We are not at war. Sailors do not need to die. If we do not act now, we are failing to properly take care of our most trusted asset — our Sailors.' In the four-page letter to senior military officials, Crozier said only a small contingent of infected sailors have been off-boarded. Most of the crew remain aboard the ship, where following official guidelines for 14-day quarantines and social distancing is impossible. 'Due to a warship's inherent limitations of space, we are not doing this,' Crozier wrote. 'The spread of the disease is ongoing and accelerating.'" [San Francisco Chronicle, 3/31/20]

Captain Was Fired Two Days Later. According to the Washington Post, "Modly offered a lengthy account of his actions in the dismissal Thursday of Capt. Brett Crozier, the commanding officer of the USS Theodore Roosevelt. The nuclear-power aircraft carrier with a crew of about 4,800 had been stricken by an outbreak of the novel coronavirus. On March 30, Crozier sent an emotional email pleading for help, which leaked the next day. Two days after that, Modly fired him — generating criticism from former senior military officials, who expressed deep concern about the impact of the precipitous act on morale and on commanders' willingness to speak out with unwelcome news." [Washington Post, 4/5/20]

Acting Navy Secretary Modly Resigned After Calling Fired Aircraft Carrier Captain "Stupid." According to CNN, "Acting Navy Secretary Thomas Modly resigned on Tuesday, a day after leaked audio revealed he called the ousted commander of the USS Theodore Roosevelt 'stupid' in an address to the ship's crew. Modly's resignation comes a little more than a week after Capt. Brett Crozier, the then-commanding officer of the USS Theodore Roosevelt, sent a memo warning of coronavirus spreading among the sailors on the aircraft carrier. The memo leaked and Modly subsequently removed Crozier from command. The former acting secretary flew to Guam to address the ship, insulting Crozier to thousands of sailors who had given their former captain a standing ovation as he left the ship days before. The audio of that address was leaked to media outlets and the uproar over Modly's remarks -- calling Crozier 'too naive or too stupid' to be in command of the aircraft carrier and saying that going outside of the chain-of-command with his memo represented a 'betrayal' -- quickly made his position untenable. In his resignation letter, Modly did not mention the controversy but later apologized to the whole of the Navy for the incident in a memo." [CNN, 4/7/20]

April 13, 2020: A Crewman Aboard The USS Theodore Roosevelt Died Of Covid-19 Related Complications Becoming The First Active-Duty Military Member To Fall Victim To The Virus. According to The New York Times, "A member of the crew of the coronavirus-infected USS Theodore Roosevelt died Monday of complications related to the disease, 11 days after the aircraft carrier's captain was fired for pressing his concern that the Navy had done too little to safeguard his crew. The sailor was the first active-duty military member to die of COVID-19. The Navy also announced that an aircraft carrier strike group led by the USS Harry S. Truman, which had been heading home to Norfolk, Virginia from a monthslong deployment in the Middle East, will instead be kept in the Atlantic for now as a way to protect the ship's crew from coronavirus. 'The Navy is taking this measure to maintain the strike group's warfighting capability while ensuring the safety of the crew,' the Navy said in a statement. There are no known coronavirus cases aboard the Truman or the other ships in its strike group. The Navy said it will evaluate 'this dynamic situation' and will provide an update to the crew of the Truman and their families in approximately three weeks." [New York Times, 4/13/20]

840 Navy Sailors On The USS Theodore Roosevelt Tested Positive For Coronavirus. According to The Hill, "The Navy has tested the entire crew of the USS Theodore Roosevelt for the coronavirus, the service said Thursday. So far, 840 sailors have tested positive for the virus, but a 'small number' of results are still pending, the Navy said in a news release. Thursday's report marked a jump from the 777 cases the Navy reported Wednesday when it said 99 percent of the crew had been tested. Of the total positive cases, 88 sailors have since recovered, the Navy noted. Four sailors are in the hospital, down from six Wednesday; none are in intensive care. One sailor from the Roosevelt died last week. The coronavirus outbreak aboard the Roosevelt became a major scandal after the ship's former commander, Capt. Brett Crozier, wrote a letter imploring the Navy for help with the outbreak. After

the letter leaked to the media, Crozier was fired by then-acting Navy Secretary Thomas Modly, who later resigned himself after he gave a speech aboard the Roosevelt berating Crozier. In the letter, Crozier asked for permission to offload all but 10 percent of the ship's nearly 5,000-person crew. As of Thursday, 4,234 sailors have moved ashore to Guam, where the Roosevelt is docked while the ship handles the outbreak." [Hill, 4/23/20]

5 Sailors On USS Theodore Roosevelt Tested Positive For Coronavirus For A Second Time After Previously Testing Negative Following Isolation. According to the Associated Press, "Five sailors on the U.S. aircraft carrier sidelined in Guam due to a COVID-19 outbreak have tested positive for the virus for the second time and have been taken off the ship, according to the Navy. The resurgence of the virus in the five sailors on the USS Theodore Roosevelt underscores the befuddling behavior of the highly contagious virus and raises questions about how troops that test positive can be reintegrated into the military, particularly on ships. All five sailors had previously tested positive and had gone through at least two weeks of isolation. As part of the process, they all had to test negative twice in a row, with the tests separated by at least a day or two before they were allowed to go back to the ship." [AP, 5/15/20]

Outbreaks On The Grumman And Kidd Sickened Members Of The Military And Civilian Contractors

Outbreak On The USNS Leroy Grumman Left Half The Crew And 30 Contractors Sick. According to the Daily Beast, "Late last month, barely a week after the Navy's Military Sealift Command assured the public that the coronavirus was not spreading among civilian mariners, the virus ripped through the USNS Leroy Grumman, leaving nearly half the crew and 30 contractors infected, the Project On Government Oversight (POGO) has learned. One mariner has been hospitalized in critical condition, while a contractor died of what his family says are complications of COVID-19, the disease caused by the novel coronavirus. Mariners tell POGO that the ship's leaders struggled to respond to the outbreak, potentially exacerbating the viral spread." [Daily Beast, 5/19/20]

Nearly 100 Sailors On The USS Kidd Tested Positive, A Rate Higher Than The USS Theodore Roosevelt. According to CNN, "Nearly 100 sailors from the US Navy destroyer USS Kidd have tested positive for coronavirus, two US defense officials told CNN Friday. The ship, which is currently in port in San Diego, was the second US warship to be struck by an outbreak of the pandemic after the USS Theodore Roosevelt aircraft carrier. The officials said that there are more than 95 cases currently aboard the ship, meaning that almost 30% of the crew has been infected, surpassing the infection rate for the USS Theodore Roosevelt which has seen approximately 24% of its crew infected." [CNN, 5/1/20]

THE UNITED STATES MILITARY ACADEMY RECALLED THE GRADUATING CADET CLASS TO ATTEND AN IN-PERSON GRADUATION CEREMONY WITH TRUMP

Graduating Cadets Were Recalled To Campus For An In-Person Graduation Ceremony Featuring An Address By Trump. According to The Washington Post, "The day before the U.S. Military Academy announced it would proceed with plans for President Trump to deliver the commencement address, cadets joined a video call to learn about their return to the school's campus outside New York, the American city hardest hit by the coronavirus pandemic. The decision to hold an in-person graduation June 13 meant that nearly 1,000 graduating cadets would travel back to West Point from their homes, where they have been distance-learning since spring break, and undergo up to three weeks of quarantine at campus barracks and a nearby training site. But uncertainties remained, including how to ensure that the cadets wouldn't sicken one another and how to account for sometimes unreliable test results. 'Because all 1,000 of you are going to be coming back, you're probably going to be about 60 percent who have coronavirus, so we're going to likely test all of you,' a West Point instructor told one group of about 25 cadets during the April 21 video call, a partial audio recording of which was obtained by The Washington Post. He compared the West Point plans with coronavirus testing of the crew of the USS Theodore Roosevelt, an aircraft carrier sidelined by a major outbreak." [Washington Post, 4/28/20]

West Point Cadets Test Positive For COVID-19 After Returning To School For Trump's Commencement Address

16 West Point Cadets Tested Positive For COVID-19 After Returning To Campus For Trump's Scheduled Commencement Address. According to USA Today, "The Army has determined 16 West Point cadets have tested positive for COVID-19 after returning to the campus for a commencement address by President Trump scheduled for June 13, according to sources on Capitol Hill. The affected cadets, a fraction of the 850 who have returned to the campus since spring break in March, are receiving treatment but are not showing symptoms of the

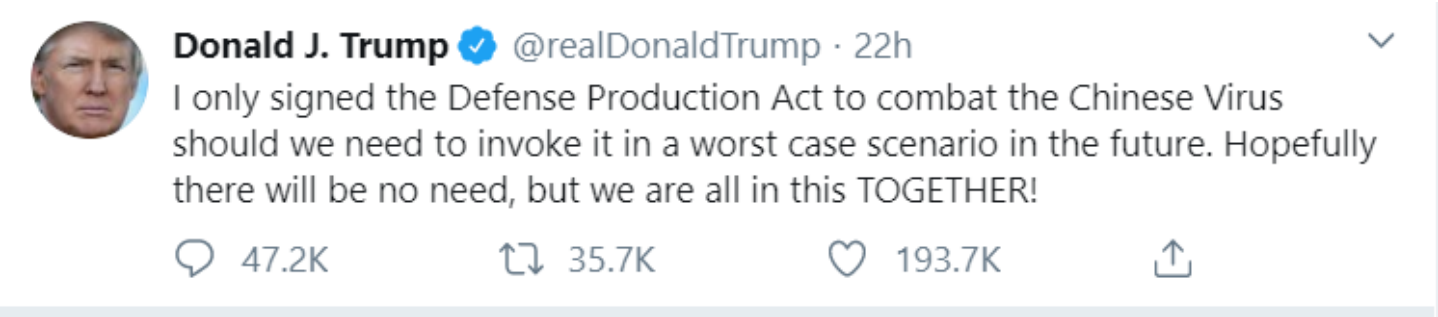
disease, Army Lt. Gen. Darryl Williams, the West Point superintendent, said in an interview. Williams, who declined to specify the number of cadets affected, said screening and safety procedures will allow the ceremony to be held safely. Sources on Capitol Hill, with access to information but not authorized to speak publicly, said that of the 16 affected cadets, 14 had tested positive for the antibody that indicates they had contracted the virus, recovered and had developed anti-bodies. […] The COVID-19 pandemic has scrambled graduation plans for the nation's elite military schools. The Naval Academy held a virtual ceremony, and the Air Force Academy sequestered its senior class on campus, holding graduation with cadets spaced at safe distance from one another. Critics have called Trump's decision to attend West Point graduation a political stunt that endangers the health of cadets and those with whom they have had contact on their return to campus." [USA Today, 5/31/20]

Trump Initially Refused To Use The Defense Production Act To Increase Production Of Needed Medical Supplies

TRUMP DRAGGED HIS FEET ON ACTUALLY USING THE DEFENSE PRODUCTION ACT

Trump Ignored Requests From Officials In His Administration To Invoke The DPA For "Weeks." According to CNN, "For weeks, the President had ignored requests by some officials in his administration to invoke the act. He said private companies had been willing to act and did not need to be coerced into doing so. But Navarro's appointment may be a potential sign of the President's changing attitude. Navarro was one of several who initially pushed Trump to sign the Defense Production Act." [CNN, 3/27/20]

Trump Tweeted That While He Invoked The Defense Production Act, He Had No Immediate Plans To Use It



[Twitter.com, "@realDonaldTrump," 3/18/20]

Trump Rejected Calls To Use Defense Production Act Despite Shortage Of Supplies

March 22, 2020: Trump Rejected Calls From Governors, Hospitals To Use Defense Production Act To Increase Supplies To Fight Coronavirus. According to the Hill, "President Trump on Sunday rejected calls from governors, hospitals and others to direct companies to ramp up production of critical supplies for the coronavirus fight through the use of the Defense Production Act." [Hill, 3/22/20]

- **March 23, 2020: Trump Incorrectly Attempted To Equate Implementing Elements Of The Defense Production Act To The Nationalization Of Businesses.** According to NPR, "In his Sunday news briefing on the coronavirus response, President Trump was asked about the Defense Production Act, which the government can use to spur businesses to create needed supplies. 'The fact that I signed it, it's in effect,' he said. 'But you know, we're a country not based on nationalizing our business. Call a person over in Venezuela, ask them how did nationalization of their businesses work out? Not too well.' The Cold War-era law doesn't nationalize businesses. Under the law, the U.S. government can make contracts with companies and 'require acceptance and performance of such contracts' to prioritize the production of 'scarce and critical material.' And as noted in NPR's more detailed explanation of the law last week: 'It can also provide loan guarantees or lend money directly to targeted industries, and it can shield them from anti-trust actions resulting from firms cooperating and planning with one another. And if those incentives prove insufficient, administration officials can also use what's called an 'allocation authority' — namely, telling firms that the government has the right to purchase their products above anyone else.'" [NPR, 3/23/20]

Hospitals Said Market For Protective Gear Was Sold Out. According to the Hill, "Hospitals say that they need Trump to invoke the law to ramp up production of protective gear for health workers that is running dangerously low. They say the normal channels on the private market are sold out." [Hill, 3/22/20]

Trump Said He Used DPA For Leverage In Talking With Companies. According to the Hill, "President Trump on Sunday rejected calls from governors, hospitals and others to direct companies to ramp up production of

critical supplies for the coronavirus fight through the use of the Defense Production Act. Trump argued that he has used the Defense Production Act (DPA) as leverage in negotiations with companies to get them to produce supplies and equipment for the coronavirus fight." [Hill, 3/22/20]

TRUMP TOLD GOVERNORS TO BUY THEIR OWN EQUIPMENT, THEN BOUGHT OUT EQUIPMENT FROM UNDER THEM

March 16, 2020: Donald Trump Told Governors To Buy Their Own Equipment; "Respirators, Ventilators, All Of The Equipment — Try Getting It Yourselves." According to the New York Times, "WASHINGTON — President Trump told a group of governors on Monday morning that they should not wait for the federal government to fill the growing demand for respirators needed to treat people with coronavirus. "Respirators, ventilators, all of the equipment — try getting it yourselves," Mr. Trump told the governors during the conference call, a recording of which was shared with The New York Times. "We will be backing you, but try getting it yourselves. Point of sales, much better, much more direct if you can get it yourself." [NYT, 3/16/20]

Numerous Governors Said They Were Competing With The Federal Government And Other States For Medical Supplies. According to The Washington Post, "The governors of New York, Texas, Illinois and other states have said they are competing with the federal government and other states in a mad scramble for lifesaving supplies such as surgical masks, N95 respirators, isolation gowns and ventilators that are widely drained or out of stock. They are also dealing with a frenzy of pitches from unknown suppliers offering to sell them the materials directly from Chinese factories. Christian Mitchell, deputy governor of Illinois, said he's on a team of more than a dozen staffers attempting to sort through a dizzying array of sellers offering masks and medical equipment. 'You'll have a friend of a friend of a guy who has a friend of a cousin who maybe does business in China, and you have to make sure: Is this person legitimate?' Mitchell said in an interview. 'Can they give you pictures, or can they actually send you samples? In Texas, officials with a Supply Chain Strike Force convened this week by Gov. Greg Abbott (R) are manning the phones inside the state's emergency operations center in hopes of screening a rush of international brokers and businesses. 'I'm getting emails, LinkedIn messages, Facebook messages from people I've never heard of in my entire life, saying, 'I've got a supplier that can get you this or that,' said John Wittman, an Abbott spokesman." [Washington Post, 3/26/20]

- **Governor Pritzker Said Illinois Was Competing With The Federal Government, Other States, And Foreign Countries For Supplies.** According to NBC 5, "Gov. J.B. Pritzker said Monday that the state of Illinois has been 'competing' with other states, the federal government and foreign countries in its bids to purchase medical equipment - a process he called 'just wrong' as the coronavirus crisis rages on. Pritzker appeared on TODAY Monday morning, using his latest national television appearance to call on President Donald Trump to use the full force of the federal government to buy personal protective equipment, known as 'PPE,' and ventilators. 'The truth is that I was on the phone yesterday talking to companies and here's what I ran into: in one case we're competing for ventilators with FEMA and the federal government. So Illinois is bidding for ventilators against the federal government. In another case, we were bidding against foreign countries and other states,' Pritzker told Savannah Guthrie. 'And so what's happening too, not just on ventilators but on all the PPE that we need, prices are being ratcheted up and we're competing against each other on what should be a national crisis where we should be coming together and the federal government should be leading, helping us,' he continued." [NBC 5, 3/23/20]
- **Michigan Governor Whitmer Said Orders Placed For PPE Were Being Filled For The Federal Government First.** According to CNN, "Michigan Gov. Gretchen Whitmer said in an interview Friday that her state is not getting the health and safety equipment needed to fight the spread of the novel coronavirus because contractors are sending their products to the federal government first. Whitmer, a Democrat, said in an interview on CNN's "The Situation Room with Wolf Blitzer" that her state's shipments of personal protective equipment are being "canceled" or "delayed." "Well, we've entered into a number of contracts, and as we get closer to the date when shipments are supposed to come in, they are getting canceled -- getting delayed," Whitmer told Blitzer. Whitmer said her state was notified that shipments of protective equipment such as face masks are going "first to the federal government" ahead of the states." [CNN, 3/27/20]

States Covertly Purchased Supplies From Abroad To Avoid Federal Seizure

Wisconsin Secured 100,000 Protective Masks From The Taiwanese Government. According to Greenbay Press Gazette, "Wisconsin will receive 100,000 face masks from the Taiwanese government as hospitals across the state continue to face shortages of personal protective equipment amid the coronavirus pandemic. The donation is a boon to the state's resources as officials contend with rising cases of COVID-19, the disease caused by the coronavirus. It was not immediately clear how state officials plan to distribute the masks. 'In times of crisis, you've

got to get creative,' said U.S. Rep. Mike Gallagher, R-Green Bay, who asked Taiwanese officials for their country's assistance. 'It's all hands on deck.' Gallagher's district includes Brown County, where the virus is spreading faster than anywhere else in the state, in part because of outbreaks at meat-processing facilities. Statewide, the virus has been confirmed in over 8,000 people and killed 340. Twenty percent of Wisconsin coronavirus patients have been hospitalized since the virus arrived here, and dozens of hospitals have just a week's worth or less of masks, goggles and other equipment to protect employees, according to the Wisconsin Hospital Association. Taiwan's donation to Wisconsin is part of a larger effort to assist other countries as it emerges as a model for its response to the pandemic. According to the Johns Hopkins COVID-19 dashboard, the country has seen just 438 cases and six deaths from the virus." [Greenbay Press Gazette, 5/5/20]

Local Philanthropist And Business Leader Collaborated With The Governor Of New Hampshire To Secure A Shipment Of KN95 Masks From China. According to The Hill, "State governments are scrambling to track down and acquire personal protective equipment (PPE) and essential medical gear to fight the coronavirus pandemic, as President Trump encourages governors to hit the open market to procure supplies. But while larger states like New York and California can compete with ever-rising prices and a limited global supply chain, smaller states have faced major complications, even losing orders to federal agencies that outbid them at the last minute. In many cases, governors in those smaller states find themselves at the end of a very long line outside a national strategic stockpile that is rapidly running dry. Some of those state leaders are turning to wealthy businessmen, philanthropists and sometimes their own family members to help secure the equipment they need to fully stock their hospitals and medical facilities. For New Hampshire, that philanthropist was Dean Kamen, an entrepreneur who invented the Segway and who runs a global robotics competition. Kamen, whose businesses have extensive ties to Chinese manufacturers, had helped one hospital in Bedford secure protective masks. Within days, every hospital in the state was calling him. But Kamen encountered a problem early on, prompting him to turn to Gov. Chris Sununu (R): He had sourced millions of surgical and KN95 protective masks for New Hampshire's hospitals at 38 cents apiece, a fraction of what those hospitals were paying on the open market. Kamen just needed the state to guarantee the hospitals would be able to cover those costs. […] Sununu told Kamen he could count on the state to cover the costs of the N95 masks. Kamen called his friend Fred Smith, CEO of FedEx, to arrange transportation. Smith pointed Kamen to a program within the federal Department of Health and Human Services (HHS) that would pay for the flight. 'Good news, governor,' Kamen said he told Sununu. 'FedEx has a relationship with the folks at HHS and they're going to cover the cost of shipping.' A few days later, Sununu and Kamen watched as a chartered FedEx MD-11 touched down at Manchester's airport, crammed with masks and other protective gear." [Hill, 5/11/20]

Colorado Hid Purchase Of 100,000 Test Kits From South Korea Over Fear Of Federal Seizure. According to Newsweek, "Colorado Governor Jared Polis did not announce that the state recently received over 100,000 coronavirus test kits from South Korea over fears that federal authorities could seize them. Multiple instances of feds seizing state supplies of tests and personal protective equipment have been reported since the COVID-19 pandemic began. Polis said on Friday that Colorado kept their latest shipment hidden because the state did not want to lose the tests to "the competition." [Newsweek, 5/1/20]

TRUMP INITIALLY HESITATED TO USE DEFENSE PRODUCTION ACT TO PROCURE VENTILATORS

After Considering $1 Billion Price Tag For Ventilators, White House Pulled Back From Deal To Produce Tens Of Thousands

After Considering The $1 Billion Price Tag For Ventilators, The White House Pulled Back An Announcement Of Their Deal With General Motors And Ventec Life Systems To Produce Up To 80,000. According to the New York Times, "The White House had been preparing to reveal on Wednesday a joint venture between General Motors and Ventec Life Systems that would allow for the production of as many as 80,000 desperately needed ventilators to respond to an escalating pandemic when word suddenly came down that the announcement was off. The decision to cancel the announcement, government officials say, came after the Federal Emergency Management Agency said it needed more time to assess whether the estimated cost was prohibitive. That price tag was more than $1 billion, with several hundred million dollars to be paid upfront to General Motors to retool a car parts plant in Kokomo, Ind., where the ventilators would be made with Ventec's technology." [New York Times, 3/26/20]

Government Officials Stated That The Deal May Still Happen And That The Joint Venture Would Turn Out Over Ten Thousand Fever Ventilators Than Initially Promised. According to the New York Times, "Government officials said that the deal might still happen but that they are examining at least a dozen other proposals. And they contend that an initial promise that the joint venture could turn out 20,000 ventilators in short order had shrunk to 7,500, with even that number in doubt. Longtime emergency managers at FEMA are working with military officials to sort through the competing offers and federal procurement rules while under pressure to give President Trump something to announce." [New York Times, 3/26/20]

Trump Used The Defense Production Act To Procure Ventilators

March 27, 2020: Trump Used DPA To Procure Ventilators From General Motors. According to CBS News, "Twelve days ago, General Motors put hundreds of workers on an urgent project to build breathing machines as hospitals and governors pleaded for more in response to the coronavirus pandemic. But President Donald Trump, claiming the company wasn't moving fast enough, on Friday invoked the Defense Production Act, which gives the government broad authority to direct companies to meet national defense needs. Experts on managing factory production say GM is already making an extraordinary effort for a company that normally isn't in the business of producing ventilators." [CBS News, 3/30/20]

DESPITE A SHORTAGE OF TESTING KITS, FEMA DID NOT USE THE DPA TO SECURE ADDITIONAL TESTS

FEMA Stated That It Would Use The DPA Then Later The Same Day Reversed Itself On Use Of The DPA To Secure Test Kits And Masks. According to Politico, "The Federal Emergency Management Agency said itultimately did not have to use the Defense Production Act to secure medical equipment needed to fight the coronavirus pandemic, reversing an announcement by the head of the agency on Tuesday morning. FEMA Administrator Peter Gaynor had said earlier in the day that the Trump administration wouldformally implement the emergency measure to stock up on vital medical supplies. He said triggering the act would help access "about 60,000 test kits," and added that the administration would insert "DPA language" into the mass contracts for the federal government's order of 500 million personal protective masks. […] But late Tuesday night, FEMA press secretary Lizzie Litzow changed coursed, writing: 'At the last minute we were able to procure the test kits from the private market without evoking the DPA.' Federal delays in rolling out widespread testing have sparked criticism from state officials, who have said they are woefully underprepared to handle the unfurling outbreak. One testing kit serves roughly 300 to 400 patients." [Politico, 3/24/20]

TRUMP SAID HE WOULD USE DPA TO INCREASE TESTING SUPPLIES

April, 2020: Following Weeks Of Reported Shortages, Trump Said He Would Utilize The DPA To Push For Increased Production Testing Swabs. According to Politico, "President Donald Trump will use the Defense Production Act to compel an unnamed company to produce 20 million more coronavirus testing swabs every month — weeks after labs and public health officials started warning that shortages of these swabs were hurting efforts to ramp up testing nationwide. In his nightly press briefing on Sunday, Trump repeatedly referred to the swabs as 'easy' to procure — especially compared to the ventilators that he has previously compelled companies to manufacture. He even brought a swab as a prop, holding it up next to a Q-Tip before handing it to Vice President Mike Pence. Asked why his administration waited for weeks to use the Defense Production Act on swabs, Trump alternately claimed that states have 'millions coming in' already, that states can procure them on their own, and that governors 'don't know quite where they are' and need the federal government's help. 'It's a tremendous hammer,' he said of the DPA. 'We have millions of them coming in. They are very easy. ... In all fairness, governors could get them themselves. But we are going to do it. We'll work with the governors and if they can't do it, we'll do it.' He added that 'we have millions of them coming in very soon.' The DPA allows the federal government to direct the production and distribution of goods in an emergency. Widespread testing is needed to reopen the country, but coronavirus tests and testing components have been scarce in parts of the country." [Politico, 4/19/20]

HHS Assistant Secretary Giroir Blamed FDA Reliance On One Type Of Swab Manufactured In Northern Italy To Defend Against Push To Use DPA. According to Time, "Politicians, medical professionals and hospital officials have criticized Trump's reticence to ease the supply shortage by using presidential authorities under the

Defense Production Act (DPA) to compel U.S. private production capacity to manufacture the supplies. Giroir said that kind of criticism is 'based on very little knowledge of how this works.' For instance, testing swabs have been in short supply since March. The swabs—which resemble oversized Q-tips and are inserted into the nose to sample mucus at the top of the throat—are manufactured in northern Italy and China, where production was decimated due to coronavirus outbreaks. 'Like if you were relying on one swab type that's only made in Italy, because that's what the FDA does, it doesn't matter what I do [in the U.S.] until you open the market and have different swab types,' Giroir said. Due to the scarcity of key testing components like swabs, chemical reagents and tubes, Giroir acknowledges that the federal government needs to help steer some critical parts of the supply chain to increase the number of tests being done. In May and June, the federal government plans to purchase the components necessary to meet all the states' plans and distribute them to central locations in each state." [Time, 4/28/20]

Trump Administration Paid Russia For Unusable Hazardous Ventilators That Went Unused Then Later Sent $5.6 Million In Aid And Ventilators To Russia

April: Russia Sent 45 Ventilators To The U.S. And Billed $660,000. According to the Daily Beast, "Back in April, Russia sent a shipment of medical equipment and supplies to the United States under the guise of "humanitarian aid." The shipment was not a gift. Russia billed the American taxpayer $660,000 for 45 ventilators and other medical items at a moment when the full horror of the COVID-19 pandemic had hit U.S. hospitals." [Daily Beast, 5/20/20]

Russian Ventilators Were Unusable; Wrong Voltage And Caused Fires In Russian Hospitals. New York And New Jersey Sent Them Back To FEMA. According to the Daily Beast, "Adding possible injury to this insult, the Russian ventilators turned out to be unusable. The Russian-made equipment was sent to the states of New York and New Jersey, but it was incompatible with the American electrical system. U.S. appliances run on 110-volt electricity, whereas Russian equipment is designed to operate on a 220-volt system. After storing the unused ventilators in warehouses, both states returned them to the Federal Emergency Management Agency (FEMA), which originally received the delivery. The electrical incompatibility might have been a blessing in disguise, since the ventilators of the same make and model have caused fires in at least two Russian hospitals. Kremlin-controlled state media outlet Sputnik resorted to outright lies to try to conceal this deadly embarrassment, falsely claiming that the lethal machines were made in Germany. But the Russian government agency Roszdravnadzor previously acknowledged that the incendiary Aventa-M ventilators were made in Russia by the Urals Instrument-Engineering Plant (UPZ)." [Daily Beast, 5/20/20]

May: The United States Sent 50 Ventilators To Russia As Part Of A $5.6 Million Dollar Coronavirus Aid Package; Planned To Send Another 150. According to National Public Radio, "The United States delivered 50 ventilators to Russia on Thursday, part of a humanitarian aid package worth $5.6 million to help Moscow fight the coronavirus, U.S. officials said. Another batch of 150 American-made ventilators will head to Russia next week, according to the U.S. Embassy in Moscow. In a statement, the U.S. Embassy called the delivery 'rapid fulfillment' of a request Russian President Vladimir Putin discussed on recent phone calls with President Trump. 'The United States and Russia have provided assistance to each other in the past, and I have no doubt will do so in the future,' John Sullivan, the U.S. ambassador to Russia, said in a video announcing the arrival of the U.S.-made ventilators. Russia delivered coronavirus-related equipment to the United States in April, which drew some criticism as a propaganda coup for the Kremlin. The arrival of a Russian plane carrying ventilators, masks and respirators to New York was covered live on the Kremlin-supported RT channel, which described the shipment as 'humanitarian aid.' The U.S. later insisted it had purchased the supplies. The Kremlin now says the two sides split the bill." [NPR.org, 5/21/20]

Medical Workers Faced Challenges Testing Patients Due To The Lack Of Proper Safety Gear

SUPPLY SHORTAGES PREVENTED MEDICAL WORKERS FROM SAFELY BEING ABLE TO TEST AND TREAT PATIENTS

The Shortage In Protective Equipment Kept Health Care Workers' From Safely Performing COVID-19 Tests. According to ABC News, "Despite the public-private partnerships the White House touted Sunday as a solution to increasing the United States' coronavirus testing capacity, some doctors say they still aren't able to test their patients -- especially small private practices without the resources to keep personal protective equipment on hand. The problem: Test kits are available, but some doctors lack the protective gear necessary to safely collect samples from their patients to send to the laboratories. Dr. Anjali Viswanathan, an internal medicine doctor who sees patients in her outpatient practice, as well as at the New Jersey hospital where she works, wasn't able to get tests for her patients through the state health department or the hospital. But two testing companies, LabCorp and Quest Diagnostic, had test kits available with just a 72-hour turnaround for results. There was just one catch. Viswanathan would have to provide the protective gear needed to procure the patient samples for the testing companies to analyze." [ABC News, 3/19/20]

HEALTH PROFESSIONALS IMPROVISED FOR PROTECTIVE GEAR AND MEDICAL RESOURCES

Health Organizations Across The Country Improvised With Household Materials And Repurposed Veterinary Devices. According to The Washington Post, "Rhonda Medows, president for population health at Providence St. Joseph Health in Seattle, one of the largest hospital systems on the West Coast, said she and other executives have been pleading for weeks with federal agencies for help to fill the shortfall in needed supplies. They've received few answers and pitifully small shipments. The only positive response came from the Department of Agriculture, which she said offered to help find large animal ventilators that could be converted for human use. Some medical professionals have pursued last-ditch attempts to safeguard their health. Lee Saunders, a union leader representing health-care workers, said Thursday that some health-care workers in New York have donned garbage bags because hospitals are short of protective gowns." [Washington Post, 3/26/20]

Photos Circulated On Social Media Showed Mt. Sinai Nurses In New York That Wore Black Trash Bags In Place Of Gowns. According to USA Today, "As coronavirus cases in New York City, the epicenter of the pandemic in the U.S., continue to rise, medical workers have said that they don't have enough personal protective equipment, like masks and gowns, to do their jobs safely. At Mount Sinai Hospital in Manhattan, where a staff member died of COVID-19 earlier this week, several nurses were photographed wearing trash bags over protective gear like masks, gloves and face shields. The images have been shared across social media, though some posts have been deleted or removed since they were first posted." [USA Today, 3/27/20]

TSA HOARDED 1.3 MILLION N95 MASKS AS AIRPORT TRAFFIC PLUMMETED

TSA Ignored DHS Guidance And Stockpiled 1.3 Million N95 Masks Instead Of Donating Them As The Department Of Veterans Affairs Scrounged For PPE. According to Propublica, "The Transportation Security Administration ignored guidance from the Department of Homeland Security and internal pushback from two agency officials when it stockpiled more than 1.3 million N95 respirator masks instead of donating them to hospitals, internal records and interviews show. Internal concerns were raised in early April, when COVID-19 cases were growing by the thousands and hospitals in some parts of the country were overrun and desperate for supplies. The agency held on to the cache of life-saving masks even as the number of people coming through U.S. airports dropped by 95% and the TSA instructed many employees to stay home to avoid being infected. Meanwhile, other federal agencies, including the Department of Veterans Affairs' vast network of hospitals, scrounged for the personal protective equipment that doctors and nurses are dying without." [Propublica, 5/6/20]

TSA Actions Caused Whistleblower Complaint From TSA Attorney Charles Kielkopf. According to Propublica, "We don't need them. People who are in an infectious environment need them. Nobody is flying," Charles Kielkopf, a TSA attorney based in Columbus, Ohio, told ProPublica. "You don't take things for yourself. It's the wrong thing to do." Kielkopf shared a copy of an official whistleblower complaint he filed Monday. In it, he alleges the agency had engaged in gross mismanagement that represented a "substantial and specific danger to public health." [Propublica, 5/6/20]

TRUMP DISMISSED SUPPLY SHORTAGES AS "FAKE NEWS"

Despite The Concerns Expressed By Health Care Workers Trump Dismissed Reports Of PPE Shortages As "Fake News." According to Politico, "The interviews reveal a medical workforce still struggling to adapt to dangerous conditions with little confidence that the available protective gear is being steered to the places it's needed most. Some say they're still being forced to reuse masks or MacGyver their own equipment four months into the U.S. outbreak, even as Trump dismisses questions about shortages as 'fake news,' as he did earlier this month. 'We had very little in our stockpile,' Trump said in a recent briefing. 'Now we're loaded up. And we also loaded up these hospitals.'" [Politico, 4/26/20]

Shortly After Lockdown Guidelines Expired, Trump Dismissed A Nurse's Account That PPE Was "Sporadic"

Trump Insisted There Was No PPE Shortage After The President Of The American Association Of Nurse Practitioners, While Being Honored In The Oval Office, Shared That Access To PPE Was "Sporadic" For SHealthcare Workers. According to CNN, "President Donald Trump contradicted a nurse he was honoring in the Oval Office on Wednesday, insisting there are no personal protective equipment shortages in the US despite her account that availability could be 'sporadic.' A reporter asked the nurses attending the National Nurse Day event if their PPE supplies are where they need to be amid the coronavirus pandemic, and many of them nodded in agreement or answered affirmatively. 'I think it's sporadic,' answered Sophia L. Thomas, president of the American Association of Nurse Practitioners. 'I mean, I talk to my colleagues around the country. Certainly there are pockets around the country where PPE is not ideal, but this is an unprecedented time.' Thomas said she works at a community health center in New Orleans, and that her youngest Covid-19 patient was 4 days old. 'The infection control measures that we learned back when we went to school, one gown and one mask for one patient per day -- this is a different time,' she said, adding that she has been reusing a single N95 mask for 'a few weeks now. […] Despite her firsthand experience, Trump disputed Thomas' account. 'Sporadic for you but not sporadic for a lot of other people,' the President told her." [CNN, 5/6/20]

FEMA AND HHS COORDINATING GROUP DECIDED TO SUSPEND FLIGHTS FOR KUSHNER'S PROJECT AIRBRIDGE SHIPMENTS EXCEPT FOR GOWNS

FEMA-HHS Coordinating Group Decided To Suspend Kushner's Project Airbridge Shipments Except For Gowns. According to NBC News, "WASHINGTON — "Project Airbridge," the medical-supply delivery program championed by White House senior adviser Jared Kushner, is being essentially grounded, according to coronavirus task force documents obtained by NBC News. The program, created to speed the overseas air shipment of medical supplies that would take longer to ship by boat, became a lightning rod for criticism because of its unorthodox use of federal funds to underwrite shipping costs for private companies, the massive no-bid contracts it delivered to those companies and its failure to deliver all of the goods the White House credited it with. On Thursday, the Unified Coordinating Group, a set of senior leaders from the Federal Emergency Management Agency and the Health and Human Services Department who work on the coronavirus response, decided to stop scheduling "Project Airbridge" flights — except those carrying protective gowns — after Friday, according to a summary of the meeting, which was held at FEMA headquarters" [NBC News, 5/11/20]

Meeting Summary Noted "Current Critical Shortages" Of Gowns. According to NBC News,"Gowns are the lone exception in the termination of the Project Airbridge program because, as the meeting summary notes, there are "current critical shortages." The participants in that meeting, according to the summary, included FEMA Director Pete Gaynor, Adm. Brett Giroir, who works on the task force from his post at the HHS department, and members of the president's National Security Council staff, who were patched in by video conference." [NBC News, 5/11/20]

COVID-19 INFECTED OVER 60,000 AND KILLED NEARLY 300 HEALTH CARE WORKERS IN THE US.

Data Shared By The CDC Revealed Nearly 300 Health Care Workers Died And 60,000 Infected By Covid-19. According to NPR, "The coronavirus continues to batter the U.S. health care workforce. More than 60,000 health care workers have been infected, and close to 300 have died from COVID-19, according to new data from the Centers for Disease Control and Prevention. The numbers mark a staggering increase from six weeks ago when

the CDC first released data on coronavirus infections and deaths among nurses, doctors, pharmacists, EMTs, technicians and other medical employees. On April 15, the agency reported 27 deaths and more than 9,000 cases of infection in health care workers. The latest tally doesn't provide a full picture of illness in this essential workforce, because only 21% of the case reports sent to the CDC included information that could help identify the patient as a health care worker. Among known health care workers, there was also missing information about how many of those people actually died. Still, the growing number of health care workers infected by the coronavirus provides sobering evidence that many are still working in high-risk settings without reliable or adequate protection against the virus." [NPR, 5/28/20]

NURSING HOMES RAN SHORT OF STAFF AND SUPPLIES AS RESIDENTS DIED

U.S. Nursing Homes Ran Short On Staff And Supplies As Residents And Employees Died; Hundreds Had No Surgical Or N95 Masks. According to the Washington Post, "More than three months after the coronavirus began sweeping through U.S. nursing homes, thousands of homes are still underequipped for the continuing onslaught, the data show. So far, the number of nursing home deaths attributed to covid-19 has reached nearly 32,000 residents and more than 600 employees, and both counts are sure to rise: About 12 percent of the nation's 15,000 homes have not yet reported figures. The new numbers, building on data released Tuesday that showed about 26,000 resident deaths, include the death toll from more homes. The data offer a statistical portrait of an industry at the center of the pandemic's fury unable to properly care for its 1.4 million residents: Nearly 2,000 facilities reported a shortage of nursing staff and more than 2,200 said they lack enough aides, according to the data. The figures on basic supplies are similarly dire: More than 250 nursing homes lack any surgical masks and another 800 are within a week of running out. More than 2,000 are a week away from running out of gowns and more than 800 are a week away from depleting hand sanitizer supplies. More than 500 lack any N95 masks used to prevent infection, according to the data." [Washington Post, 6/4/20]

Trump Administration Failed To Ramp Up Domestic Production Of PPE

Early June: Federal Government Failed To Meaningfully Increase Supply Of Domestically Made PPE Gowns. According to Roll Call, "Internal Federal Emergency Management Agency data show that the government's supply of surgical gowns has not meaningfully increased since photos first emerged in March of nurses wearing trash bags for protection. "The demand for gowns outpaces current U.S. manufacturing capabilities," a document released Tuesday says. The document confirms the fears of nurses and other health care providers. After months of pressure on federal officials to use wartime powers to mobilize U.S. plants, the document's slides show that domestic manufacturing of gowns and surgical masks has ticked up by a few thousand per month since the pandemic hit, falling far short of need. The United States still does not manufacture any nitrile rubber gloves." [Roll Call, 6/9/20]

Trump Administration Failed To Produce Sufficient Tests And Resources To Make The Tests Work

IN THE EARLY WEEKS OF THE COVID-19 OUTBREAK THE CORONAVIRUS TASKFORCE ONLY ALLOCATED 5-10 MINUTES TO DISCUSS TESTING

Early On The Coronavirus Task Force Only Talked About Testing For 5 To 10 Minutes A Day Often At The End Of The Meeting. According to The New York Times, "Early on, the dozen federal officials charged with defending America against the coronavirus gathered day after day in the White House Situation Room, consumed by crises. They grappled with how to evacuate the United States consulate in Wuhan, China, ban Chinese travelers and extract Americans from the Diamond Princess and other cruise ships. The members of the coronavirus task force typically devoted only five or 10 minutes, often at the end of contentious meetings, to talk about testing, several participants recalled. The Centers for Disease Control and Prevention, its leaders assured the others, had developed a diagnostic model that would be rolled out quickly as a first step. But as the deadly virus spread from China with ferocity across the United States between late January and early March, large-scale testing of people who might have been infected did not happen — because of technical flaws, regulatory hurdles, business-as-

usual bureaucracies and lack of leadership at multiple levels, according to interviews with more than 50 current and former public health officials, administration officials, senior scientists and company executives. The result was a lost month, when the world's richest country — armed with some of the most highly trained scientists and infectious disease specialists — squandered its best chance of containing the virus's spread. Instead, Americans were left largely blind to the scale of a looming public health catastrophe" [New York Times, 3/28/20]

TRUMP ADMINISTRATION FAILED TO PRODUCE ENOUGH TESTS

Early February: CDC Produced 160,000 Faulty Tests

February 6, 2020: One Month After Coronavirus Genome Was Published, WHO Had Shipped 250,000 Tests, CDC Had Shipped 160,000 Until Manufacturing Troubles Were Discovered. According to the Washington Post, "As early as Feb. 6, four weeks after the genome of the virus was published, the WHO had shipped 250,000 diagnostic tests to 70 laboratories around the world, the agency said. By comparison, the CDC at that time was shipping about 160,000 tests to labs across the nation — but then the manufacturing troubles were discovered, and most would be deemed unusable because they produced confusing results. Over the next three weeks, only about 200 of those tests sent to labs would be used, according to CDC statistics." [WaPo, 3/16/20]

End Of February: World Health Organization Had 1.4 Million Tests, U.S. Had 160,000 And Used 4,000

World Health Organization Had Made And Shipped 1.4 Million Tests By End Of February, 2020. According to the Washington Post, "When Olfert Landt heard about the novel coronavirus, he got busy. Founder of a small Berlin-based company, the ponytailed 54-year-old first raced to help German researchers come up with a diagnostic test and then spurred his company to produce and ship more than 1.4 million tests by the end of February for the World Health Organization." [WaPo, 3/16/20]

CDC Had Made And Shipped 160,000 Tests By End Of February, 2020, Used 4,000. According to the Washington Post, "By contrast, over the same critical period, U.S. efforts to distribute tests ground nearly to a halt, and the country's inability to produce them left public health officials with limited means to determine where and how fast the virus was spreading. From mid-January until Feb. 28, fewer than 4,000 tests from the U.S. Centers for Disease Control and Prevention were used out of more 160,000 produced." [WaPo, 3/16/20]

Administration Was Informed Tests Were Faulty On February 8, Working Tests Were Delayed Until February 28

February 8, 2020: Public Health Labs Notified CDC Of Problem With Test. According to the Washington Post, "By Feb. 8, public health labs were notifying the CDC of troubles with the test, and four days later, about a week after the first CDC tests had shipped, officials acknowledged the problem during a news conference." [WaPo, 3/16/20]

U.S. Efforts To Distribute Working Test Stalled Until February 28, 2020. According to the Washington Post, "In fact, the U.S. efforts to distribute a working test stalled until Feb. 28, when federal officials revised the CDC test and began loosening up FDA rules that had limited who could develop coronavirus diagnostic tests." [WaPo, 3/16/20]

FDA Found That Initial CDC Produced Faulty Tests Were Due To Manufacturing Tests In Its Lab Instead Of In Manufacturing Facility

FDA Expert Found That CDC Initially Produced Compromised Tests By Manufacturing Tests In Its Lab Instead Of Manufacturing Facilities. According to CNN, "Behind the scenes a more troublesome issue was emerging: In its rush to create tests, the CDC had done so in one of its laboratories rather than one of its manufacturing facilities, compromising the manufacturing process, according to administration officials. 'CDC did not manufacture its test consistent with its own protocol,' an FDA spokesperson said. FDA officials were getting mixed messages in mid-February about why the CDC test kits were malfunctioning. At first it appeared to be a manufacturing issue, but then the CDC suggested it could be a problem related to the test design, according to two FDA officials. That was worrisome to the FDA. On Feb. 22, a diagnostics expert at the agency, traveled to Atlanta and spent a couple of days at the CDC labs trying to figure out what was going on. According to an administration official, the FDA determined contamination was most likely occurring during the manufacturing process and that was causing the tests to malfunction. CDC spokesman Benjamin Haynes said the matter is being investigated. 'Routine quality control measures aim to identify these types of issues. Those measures were not sufficient in this

circumstance, and CDC implemented enhanced quality control to address the issue and will be assessing this issue moving forward,' Haynes said. Another federal official conceded: 'There was a rush to get kits out to the states, that might have led to some of the mistakes that were made in our lab, that's fair.'" [CNN, 4/20/20]

University Of Washington Developed Test By February 18, But Was Delayed Until February 29 By FDA Red Tape

University Of Washington Test Developed By February 18, Was Not Greenlit Until February 29 When FDA Relaxed Regulations. According to the Washington Post, "It took [the CDC] awhile to come up with the test, honestly," said Alex Greninger of the University of Washington. His lab had developed its own test and began seeking approval to use it on patients on Feb. 18. But that test, along with others that had been developed in various academic centers and hospitals, could not be used on patients until the FDA relaxed its testing rules on Feb 29." [WaPo, 3/16/20]

University Of Washington Researcher Said State Labs Had Developed Test Work Around, But Were Delayed Until February 29 By FDA Approval

University Of Washington Researcher Said That State Health Labs Had Found Workaround To Faulty CDC Test, But Were Prevented To Use It Until FDA Approved Workaround. According to the Washington Post, "It took [the CDC] awhile to come up with the test, honestly," said Alex Greninger of the University of Washington. His lab had developed its own test and began seeking approval to use it on patients on Feb. 18. But that test, along with others that had been developed in various academic centers and hospitals, could not be used on patients until the FDA relaxed its testing rules on Feb 29. "He noted that many of the state public health labs had also figured out how to use the CDC test properly — by tossing one of its components — but were not allowed to actually do so until the FDA approved the workaround that same day. "We had all these state public health labs that had a perfectly good [test] on their hands, and they knew it, they were upset," Greninger said." [WaPo, 3/16/20]

- **Nebraska Public Health Lab Developed Its Own Test Based On German Lab Design Published By W.H.O.** According to the Washington Post, "He said even though the University of Nebraska Medical Center — a world renowned infectious disease institution that houses the state's public health lab — was able to get the CDC version of the test to work, the Nebraska center developed its own test based on the German lab design published by the WHO." [WaPo, 3/16/20]
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Delayed Testing Left State Labs Dependent On CDC Central Lab And Delayed Community Based Flu Surveillance Intended To Be Hot Spot Early Warning System

Delay From Testing Flaw Meant States Had To Rely On Shipping Tests To CDC Central Lab, And That The Community-Based Influenza Surveillance That Was Intended As A Potential Early Warning System To Detect Hot Spots. According to Politico, "The CDC admits that the test kits deployed early on in the crisis were deeply flawed, preventing widespread use and hobbling U.S. testing capacity. Two weeks after the initial announcement, just three of the more than 100 public health labs in the U.S. had verified the CDC test for use, according to the Association of Public Health Laboratories. For more than three weeks, the federal government insisted that only CDC-developed tests could be legally used to identify coronavirus outbreaks. The kits' failures left states dependent on mailed samples to the CDC's central lab --which proved to be a major bottleneck, delaying results. Moreover, the testing flaws delayed deployment of the touted 'community-based influenza surveillance,' a potential early warning system for hot spots. At the time, former FDA Commissioner Scott Gottlieb told POLITICO that the testing delay could impede the government's ability to detect scattered cases before they fueled larger outbreaks." [Politico, 4/14/20]

February 6, 2020: After Test Was Developed, CDC Initially Intended To Ship Half Of Test Kits To 30 Other Countries

CDC Announced That It Had Begun Shipping Roughly 200 Test Kits To More Than 30 Countries. According to the New York Times, "The C.D.C. announced last week that it had begun shipping about 200 kits to laboratories in the United States and roughly 200 more to labs in more than 30 other countries. Each kit can test about 700 to 800 specimens from patients, the agency said." [NYT, 2/12/20]

- **February 6, 2020: CDC Initially Intended To Ship "About 200 Test Kits" Domestically And "A Similar Amount" To International Laboratories.** According to a press release from the CDC, "Initially, about 200 test kits will be distributed to U.S. domestic laboratories and a similar amount will be distributed to select international laboratories. Each test kit can test

approximately 700 to 800 patient specimens. Additional test kits will be produced and made available for ordering in the future from the IRR. At this time, each laboratory that places an order will receive one 2019-nCoV test kit." [CDC – Press Release, 2/6/20]

Dr. Messonnier Initially Said Test Kits Had Been Sent Internationally, But Walked Back Her Statement That Same Day Saying The Flaw Had Kept The CDC From Shipping The Test Kits. At a news conference on Wednesday morning, Dr. Messonnier said that test kits had been shipped to more than 30 other countries, but later in the day said that she was mistaken, and that the international shipments had been held back because of the flaw." [NYT, 2/12/20]

Trump Administration Failed To Cut Through Its Own Red Tape And Fully Engage Private Sector To Ramp Up Testing

FDA Commissioner Did Not Take A Proactive Approach To Bring Private Sector Testing And States' Public Health Lab Testing Online After CDC Had Developed A Test

Early On FDA Director Stephen Hahn Hesitated To Contact Private-Sector Manufacturers Significantly Delaying The Development of Testing Resources. According to The New York Times, "Private-sector tests were supposed to be the next tier after the C.D.C. fulfilled its obligation to jump-start screening at public labs. In other countries hit hard by the coronavirus, governments acted quickly to speed tests to their populations. In South Korea, for example, regulators in early February summoned executives from 20 medical manufacturers, easing rules as they demanded tests. But Dr. Hahn took a cautious approach. He was not proactive in reaching out to manufacturers, and instead deferred to his scientists, following the F.D.A.'s often cumbersome methods for approving medical screening. Even the nation's public health labs were looking for the F.D.A.'s help. 'We are now many weeks into the response with still no diagnostic or surveillance test available outside of C.D.C. for the vast majority of our member laboratories,' Scott Becker, chief executive of the Association of Public Health Laboratories, wrote to Mr. Hahn in late February. 'We believe a more expeditious route is needed at this time.'" [New York Times, 3/28/20]

FDA Commissioner Enforced Public Health Emergency Process That Made It Tougher For Hospitals And Labs To Create Their Own Coronavirus Test

FDA Commissioner Enforced Regulations That Made It Tougher For Hospitals To Deploy Diagnostic Tests. According to the New York Times, "The C.D.C. also tightly restricted who could get tested and was slow to conduct 'community-based surveillance,' a standard screening practice to detect the virus's reach. Had the United States been able to track its earliest movements and identify hidden hot spots, local quarantines might have confined the disease. Dr. Stephen Hahn, 60, the commissioner of the Food and Drug Administration, enforced regulations that paradoxically made it tougher for hospitals, private clinics and companies to deploy diagnostic tests in an emergency.Other countries that had mobilized businesses were performing tens of thousands of tests daily, compared with fewer than 100 on averagein the United States, frustrating local health officials, lawmakers and desperate Americans." [New York Times, 3/28/20]

Azar's Public Health Emergency Declaration Established "Emergency Use Authorization" Process That Was An Additional Burden To Hospitals And Labs That Wanted To Create Their Own COVID-19 Test. According to the New York Times, "Ironically, it was Mr. Azar's emergency declaration that established the rules Dr. Hahn insisted on following. Designed to make it easier for drugmakers to pursue vaccines and other therapies during a crisis, such a declaration lets the F.D.A. speed approvals that could otherwise take a year or more. But the emergency announcement created a new barrier for hospitals and laboratories that wanted to create their own tests to diagnose the coronavirus. Usually, they faced minimal federal regulation. But once Mr. Azar took action, they were subject to an F.D.A. process called an "emergency use authorization." [New York Times, 3/28/20]

Researchers Across The Country Said They Were Hindered By FDA's Approval Process. "According to the New York Times, "Even though researchers around the country quickly began creating tests that could diagnose Covid-19, many said they were hindered by the F.D.A.'s approval process. The new tests sat unused at labs around the country." [New York Times, 3/28/20]

TRUMP ADMINISTRATION FAILED TO SECURE AND COORDINATE PROPER DISTRIBUTION OF RESOURCES TO MAKE TEST KITS WORK

Suppliers And Health Officials Said Trump Administration Failed To Coordinate With Companies To Ensure Supplies For Test Kits, Like Nasal Swabs And Chemical Reagents Were Available. According to the Wall Street Journal, "CDC officials botched an initial test kit developed in an agency lab, retracting many tests. They resisted calls from state officials and medical providers to broaden testing, and health officials failed to coordinate with outside companies to ensure needed test-kit supplies, such as nasal swabs and chemical reagents, would be available, according to suppliers and health officials." [WSJ, 3/19/20]

After FDA Opened Testing To Outside Labs, There Was A Run On Supplies Needed For CDC-Developed Tests That Depleted Stores. According to the Wall Street Journal, "When the U.S. Food and Drug Administration, also involved in the response, finally opened testing to more outside labs, a run on limited stocks of some supplies needed for the CDC-developed test quickly depleted stores, lab operators and suppliers said. Hospital and commercial lab operators said the government didn't reach out to enlist their help until it was too late." [WSJ, 3/19/20]

- **Hospital And Commercial Lab Operators Said Government Didn't Reach Out Until It Was Too Late.** According to the Wall Street Journal, "When the U.S. Food and Drug Administration, also involved in the response, finally opened testing to more outside labs, a run on limited stocks of some supplies needed for the CDC-developed test quickly depleted stores, lab operators and suppliers said. Hospital and commercial lab operators said the government didn't reach out to enlist their help until it was too late." [WSJ, 3/19/20]

Trump Admin Sent Washington State Swabs Packaged In Bulk As Baby Q-Tips Causing Confusion And Forcing Additional Quality Testing For Contamination

Trump Administration Sent Bulk Order Of Swabs To Washington State Packaged As Baby Q-Tips Causing Confusion. According to the Seattle Times, "Earlier this week, workers at a state health department warehouse in Tumwater, Thurston County, expected to receive a large shipment of 68,000 nasal swabs to help expand coronavirus testing in Washington. Instead, they received a surprise substitution: Dozens of boxes marked "Comforts For Baby Cotton Swabs" packed with what appeared to be thousands of Q-tips. Typically unsuitable for medical tests, the Q-tip-style swabs prompted Reed Schuler, a senior adviser to Gov. Jay Inslee, to place a head-scratching call to the White House coronavirus task force. "I asked, 'What exactly is this shipment we're getting?' And they said, 'Oh sorry, ignore the packaging. You were supposed to get a memo explaining that shipment,' " Schuler said Friday. The task force later sent a memo from U.S. Cotton, LLC, explaining the swabs actually were produced specifically for nasal specimen collection. "The packaging used (comforts for baby cotton swabs) for a portion of the initial FEMA production does not accurately reflect the contents," a memo signed by company president and CEO John B. Nims said. "Be assured that the printed packaging does contain the F.D.A. approved sterilized polyester spun swab for specimen collection of COVID-19."[Seattle Times, 5/16/20]

Bulk Packaging Forced Washington State To Conduct Sterility Quality Assurance Testing That Could Involve Individually Packaging Each Swab Before Distribution. According to the Seattle Times, "But the way the swabs arrived in Washington this week — 22,000 in bulk, packed into the scores of mislabeled boxes — puzzled state health workers, Schuler said. The nasopharyngeal (NP) and nasal swabs widely used for specimen collection typically come individually wrapped in sterile packaging to avoid contamination. "Having boxes full of swabs in bulk raises questions about sterility and whether we can use them at all," Schuler said. The state must now conduct quality assurance tests before determining whether and how it can use the swabs to enhance its coronavirus testing, he said. That could involve taking laborious steps to individually package each swab before distribution, what Schuler described as "just another obstacle in a wild saga to expand testing." [Seattle Times, 5/16/20]

Trump Visit To Maine Swab Factory Forced Factory To Discard Swabs And Slow Production

Maine Swab Factory Trump Toured Said It Had To Discard Swabs Made During Trump Visit. According to USA Today, "GUILFORD, Maine – President Donald Trump traveled to Maine Friday to tour a facility that makes medical swabs used for coronavirus testing, but the swabs manufactured in the background during his visit will ultimately be thrown in the trash, the company said. Puritan Medical Products said it will have to discard the swabs, a company spokeswoman told USA TODAY in response to questions about the visit. It is not clear why the swabs will be scrapped, or how many. The company described its manufacturing plans for Friday as "limited" – but the disruption comes as public health officials in Maine and other states have complained that a shortage of swabs has hampered their ability to massively scale up coronavirus testing." [USA Today, 6/5/20]

Trump Administration Granted Contract To Texas Company For Test Tubes; Company Sent Unusable Mini Soda Bottles

Trump Administration Paid Texas Company $7.3 Million For Test Tubes; Company Supplied Unusable Mini Soda Bottles. According to ProPublica, "Since May, the Trump administration has paid a fledgling Texas company $7.3 million for test tubes needed in tracking the spread of the coronavirus nationwide. But, instead of the standard vials, Fillakit LLC has supplied plastic tubes made for bottling soda, which state health officials say are unusable. The state officials say that these "preforms," which are designed to be expanded with heat and pressure into 2-liter soda bottles, don't fit the racks used in laboratory analysis of test samples. Even if the bottles were the right size, experts say, the company's process likely contaminated the tubes and could yield false test results. Fillakit employees, some not wearing masks, gathered the miniature soda bottles with snow shovels and dumped them into plastic bins before squirting saline into them, all in the open air, according to former employees and ProPublica's observation of the company's operations." [ProPublica, 6/18/20]

THE TRUMP ADMINISTRATION PROMOTED FAULTY TESTS THAT FAILED TO DETECT INFECTIONS

Trump Unveiled And Promoted Abbott Rapid Test That Could Have Delivered An Unspecified Number Of False Negative Results Among Those With Lower Loads Of Virus. According to StatNews, "A rapid test for the novel coronavirus that was unveiled by President Trump on the White House lawn and has already been used hundreds of thousands of times can falsely produce negative results in patients who are infected, according to clinicians and laboratory experts. The 13-minute test, developed by Abbott Laboratories, a major U.S. health care and medical device company, usually still works properly, the company and clinicians say. But Abbott's initial guidance on how to administer the test — guidance approved by the Food and Drug Administration — could lead to an unspecified number of false negative results. Abbott says changing how samples are collected should fix the problem. The test 'performed equivalent to the other platforms with patients that had high and moderate loads of virus,' said Alan Wells, a pathologist who directs the clinical laboratories at the University of Pittsburgh Medical Center. 'However, with lower loads of virus, a large fraction of these patients were not detected as positive.' Wells ran a validation of the test compared with stored samples that had been tested on other platforms." [StatNews, 4/16/20]

April 15, 2020: Abbott Letter To Providers Said Its Test Should Not Be Used With Viral Transport Solution, Which The FDA Had Approved, Because It Could Lead To A False Negative. According to StatNews, "The test can be used in two different ways. In one method, a swab that has been rubbed against the nose, throat, or the area deep in the back of the nose is inserted directly into the ID Now platform, a toaster-sized machine. That approach is still seen as effective. But the FDA cleared the test to be used in another way: The swabs could be put in a liquid solution — known as "viral transport media" — and tested, which is the standard way for processing many other kinds of tests and usually allows samples to be stored longer. In a letter sent to health care providers Wednesday, obtained by STAT, Abbott said that the test should not be used in the solution because it could lead the test to give a negative result when a patient is actually infected. The company said it will work with the FDA to change the language of the product's package, and intends for changes to be made by the week of April 20." [StatNews, 4/16/20]

- **March 27, 2020: FDA Granted Abbott Rapid Test Emergency Use Authorization.** According to StatNews, "Since Abbott's test, run on its "ID Now" platform, was granted emergency use authorization by the FDA on March 27, the company has shipped 600,000 tests. They are being used at CVS and Walgreens drive-through testing locations, to test nurses and police officers in Detroit, and at urgent care centers in Chicago. They are also being used in hospitals to test surgical candidates to determine if they should be operated on and what level of protective equipment physicians should wear." [StatNews, 4/16/20]

Abbott Rapid Test Was Slow And Inefficient

Rapid Machine Could Do One Test Per 15 Minutes, Was Easily Out Produced By Other Machines That Ran 96 Over Couple Hours. According to the Wall Street Journal, "When state officials received the machines in early April, challenges quickly emerged. For one thing, the machine can do one result quickly, in under 15 minutes according to the company, but was never meant to run the large volumes of tests needed during a pandemic. Other machines, including one by Abbott, can run 96 samples at a time over several hours, far outpacing the ID Now in the course of an" [WSJ, 4/19/20]

Abbott Rapid Test Ramp Up Ran Into Supply Chain Issues

Abbott Rapid Test Ramp Up Stalled By Insufficient Supply Of Single Use Cartridges With Chemicals Needed To Conduct One Test. According to the Wall Street Journal, "Mr. Trump said the Abbott tests could deliver "lightning-fast results in as little as five minutes," at a time when politicians around the country were fretting over long backlogs at conventional laboratories. The federal government bought hundreds of the devices to distribute to states. That marquee effort soon ran into the supply-chain issues that have plagued the testing buildup. State officials found they couldn't easily obtain enough of Abbott's single-use cartridges to actually test patients, they said. Each cartridge contains the chemicals and other components needed for the machine to process one test." [WSJ, 4/19/20]

States Waited Weeks To Obtain More Cartridges. "Also, state officials quickly found their initial allotment of cartridges—single-use containers for all the test ingredients—was sufficient only to verify the machines were working, and not actually test patients. For weeks some states were unable to obtain more from the government's online lab supply store." [WSJ, 4/19/20]

After NYU Study Suggested Abbott Rapid Test Had Inordinate Share Of False Negatives, Trump Projected Confidence

Trump Expressed No Concerns About A Rapid Test That The White House Relied On To Ensure His Health Despite NYU Data Suggesting An Inordinate Share Of False Negatives. According to ABC News, "President Donald Trump expressed no concerns Friday about a rapid coronavirus test that the White House has been relying on to ensure his safety, despite new data suggesting the test may return an inordinate share of false negatives. Trump expressed his confidence in the test from Abbott Laboratories after a preliminary study by New York University researchers reported problems with it. Trump and his deputies have promoted the 15-minute test as a 'game changer' and have been using it for weeks now to try to keep the White House complex safe. The Food and Drug Administration announced late Thursday it was investigating preliminary data suggesting the Abbott test can miss a large number of COVID-19 cases, falsely clearing infected patients. 'Abbott is a great test; it's a very quick test,' Trump said at a Rose Garden event to highlight his administration's efforts to develop a vaccine for the virus. 'And it can always be very rapidly double checked.' The rapid swab is used daily at the White House to test Trump, key members of his staff as well as any visitor to the White House complex who comes in close proximity to the president or Vice President Mike Pence." [ABC News, 5/15/20]

NARROW CRITERIA PRIORITIZED BY THE CDC FOR TESTING LIMITED LAB FACILITIES' ABILITY TO OPERATE AT MAXIMUM CAPACITY

The CDC Underutilized The Testing Resources Of Many Lab Facilities Due To Narrow Prioritized Testing Criteria For COVID-19. According to Politico, "The number of coronavirus tests analyzed each day by commercial labs in the U.S. plummeted by more than 30 percent over the past week, even though new infections are still surging in many states and officials are desperately trying to ramp up testing so the country can reopen. One reason for the drop-off may be the narrow testing criteria that the Centers for Disease Control and Prevention last revised in March. The agency's guidelines prioritize hospitalized patients, health care workers and those thought to be especially vulnerable to the disease, such as the elderly. Health providers have been turning away others in part due to shortages of the swabs used to collect samples. It's not clear whether demand has peaked among the groups on the CDC's priority list. But after being overwhelmed for weeks, commercial labs say they are now sitting with unused testing capacity waiting for samples to arrive. The continued glitches in the U.S. testing system are threatening to impede attempts to reopen the economy and return to normal life. Expanding testing as much as possible is essential so officials have enough data to determine when it's safe to lift social distancing measures and allow people to go back to work. Continued testing beyond that point will help officials detect — and stamp out — sparks that could set off new outbreaks." [Politico, 4/14/20]

Despite The Declining Number Of Samples Tested By Commercial Labs, The White House Coronavirus Taskforce Continued To Discuss Whether Altering The Testing Criteria Was Warranted. According to Politico, "FDA Commissioner Stephen Hahn told POLITICO on Tuesday the White House Coronavirus Task Force is continuing to discuss whether changes to the testing criteria are warranted. 'This is part of an ongoing discussion that we're having,' he said. 'People are working overtime on that one.' Hahn's comments came as the

American Clinical Laboratory Association reported that the number of samples commercial labs handle each day fell from 108,000 on April 5 to 75,000 by April 12. The group's members, including commercial giants Quest and LabCorp, analyze about two-thirds of all coronavirus tests in the U.S." [Politico, 4/14/20]

The Trump Administration Failed To Actuate Wide Spread Testing As Promised

FEBRUARY 14, 2020: CDC ANNOUNCED PLAN TO USE SURVEILLANCE TESTING IN 5 MAJOR CITIES, BUT THE CITIES HAD NO TESTS

February 14, 2020: CDC Announced Plan To Conduct Surveillance Testing In New York, Chicago, Los Angeles, San Francisco, And Seattle, But The Cities Couldn't Carry It Out Because They Had No Tests. According to the New York Times, "The lack of tests in the states also meant local public health officials could not use another essential epidemiological tool: surveillance testing. To see where the virus might be hiding, nasal swab samples from people screened for the common flu would also be checked for the coronavirus. The C.D.C. announced a plan on Feb. 14 to perform the screening in five high-risk cities: New York, Chicago, Los Angeles, San Francisco and Seattle. An agency official said it could provide "an early warning signal to trigger a change in our response strategy." But most of the cities could not carry it out." [NYT, 3/28/20]

MARCH 21, 2020: THE WHITE HOUSE PROMISED 27 MILLION TEST KITS WOULD BE AVAILABLE BEFORE THE END OF THE MONTH

March 21, 2020: The White House Official Promised 27 Million Test Kits Would Be Available To Patients By The End Of March, But Several Organizations Found That Less Than 1 Million Total Tests Had Been Conducted By March 31st. According to Newsweek, "The White House promised an ever-increasing number of coronavirus tests would be available by the end of the month, saying the number of available test kits could be as high as 27 million. But tracking analysts say only about 1 million total tests have been administered nationwide. During a March 10 coronavirus press briefing, Vice President Mike Pence declared there would be 'more than 4 million more tests' available across the country by the end of that week. At the time, lawmakers from both parties disputed these numbers and said that fewer than 10,000 Americans had been tested. President Donald Trump increased this number just days later during remarks on March 13, when he promised 1.4 million additional tests would be distributed by March 16, which added up to more than 5 million available tests by the end of March. Another White House official would go on to proclaim on March 21 that 27 million test kits would be available to patients before the end of the month. But several organizations that are meticulously monitoring coronavirus statistics, including the COVID Tracking Project, are demanding answers for the seemingly massive discrepancy. The Tracking Project has recorded that 964,865 total tests were conducted through Tuesday. According to Tracking Project numbers released March 30, fewer than 1 million total tests, regardless of the results, have been conducted in states across the country. About 113,000 of those were conducted on March 29 alone, and the number of daily tests being taken nationwide rose above 20,000 only on March 18, two days after Trump claimed 5 million would be available nationwide. According to the COVID Tracking Project, the U.S. did not administer more than 100,000 tests in one day until March 25." [Newsweek, 3/31/20]

SOME TRUMP ADMINISTRATION AIDES LEARNED OF TESTING SHORTFALL FROM MEDIA REPORTS

Administration Official: Some White House Aides Learned Of Testing Shortage From Media, Not Public Health Officials. According to the Wall Street Journal, "Some White House aides learned of complaints about the availability of testing from the media, not the public-health officials in their own government, an administration official familiar with the matter said. Only in the first week of March did discussions in a White House coronavirus task force about the testing shortfall take on a sense of urgency, the person said." [WSJ, 3/19/20]

WHITE HOUSE DEPLOYED SWAT TEAMS OF STAFFERS IN ATTEMPT TO FIX TESTING

As Hospitals Get More Emergency-Room Visitors Than They Can Test, The White House Deployed A SWAT Team Of "100 Staffers And Outside Advisers" To Ramp Up Coronavirus Testing. According to Politico, "As hospitals grapple with more coughing and feverish emergency-room visitors than they can test, the

White House has deployed a SWAT team of fixers and technocrats to ramp up coronavirus testing, in an implicit acknowledgment that the Trump administration's response has continued to fall short of what is needed. About 100 staffers and outside advisers, split between the health department and the White House, are currently working on teams to rapidly increase supplies of test kits and cope with shortages across the country, said four people with knowledge of the strategy […] The lack of testing remains — despite Vice President Mike Pence's assurance that drive-thru testing centers should be operative later this week — the greatest immediate danger to the U.S. response to the crisis, public health experts have warned." [Politico, 3/16/20]

DRIVE-THRU TESTING SITES DID NOT MATERIALIZE AS PROMISED, RAN OUT OF SUPPLIES, AND WERE UNCOORDINATED IN EXECUTION

Despite Trump Initial Promises Of Widespread Retail-Chain Hosted Drive-Thru Testing, Very Few Test Sites Opened To The Public. According to Associated Press, "Drive-thru sites have been opening around the United States to make it quicker and safer to test people for the new coronavirus. But much like the rest of the U.S. response to the pandemic, the system has been marked by inconsistencies, delays, and shortages. Many people who have symptoms and a doctor's order have waited hours or days for a test. More than a week after President Donald Trump promised that states and retail stores such as Walmart and CVS would open drive-thru test centers, few sites are up and running, and they're not yet open to the general public. Some states are leaving it to the private sector to open test locations; others are coordinating the effort through state health departments. Patients have complained that they had to jump through cumbersome bureaucratic hoops and wait days to get tested, then wait even longer for a result. Testing centers opened in some places only to be shut down shortly afterward because of shortages of supplies and staff. And while the drive-thru test centers that have opened are generally orderly, there have been long lines at some." [Associated Press, 3/22/20]

Patients Across The US Had Varied Results In Their Drive-Thru Testing Experiences; Numerous Drive Though Testing Sites Closed For Lack Of Supplies. According to Associated Press, "The slow ramp-up of the COVID-19 testing and the spotty nature now of the system makes it hard for public health officials to track the spread of the disease and bring it under control. […] Dozens of people waiting in cars at a center in Homestead, Florida, on Wednesday, waited their turn to speak with a screener wearing a gown and mask and carrying a clipboard. Some were apparently turned away. Others were waved through, had their temperatures checked and were swabbed for samples. But supply shortages have shut down drive-thrus in several states, including Colorado, New Mexico, Virginia, Florida, Louisiana, Alabama, North Carolina, and Utah. One Las Vegas site was closed because it didn't have enough workers. New York state opened several centers to great fanfare on Tuesday. By Friday, however, New York City's health department issued an alert saying only people who require hospitalization should be tested, due to shortages of protective equipment such as face masks. Drive-thru sites in New York State remain open, but only to people who meet certain criteria. The vast network of drive-thru sites at retail chains that Trump said more than a week ago was coming has so far failed to materialize. CVS has opened one site in Massachusetts, which it calls a 'model for testing.' Walmart launched two sites Sunday, and Walgreens said it's launching one, all three in Illinois. Only health care workers and first responders are allowed, and Walmart said a maximum 150 tests per day could be performed at its federal sites." [Associated Press, 3/22/20]

Varied Levels Of Accessibility Spread Confusion Of How Individuals Could Procure Tests. According to Associated Press, "The patchwork of approaches has caused confusion for patients. Caroline Mauldin was ordered to get a test by her doctor in Charleston, South Carolina, on Tuesday, after experiencing aches and chills for several days. To get an appointment at a drive-thru site at a medical center, she had to fill out a lengthy online questionnaire and she spent two days calling a number that rolled to voicemail and wouldn't take messages. She resorted to tweeting at the hospital several times just to move things forward. Finally, on Thursday, she got an appointment for Monday. And she was told the results would not come back until four to five days after that. The visit will cost her $25, she said. Complicating matters, she doesn't have a car and has to borrow one from a friend. 'We have a lot of elderly, low-income people here who don't have access to the internet and who don't have access to transportation. And given that they're the highest risk population, how are we getting tests to them?' she asked. In urban area such as New York and Philadelphia, some sites are providing 'walk-up' appointments for people with no cars." [Associated Press, 3/22/20]

APRIL, 2020: TRUMP REINTRODUCED PARTNERSHIPS WITH DRUG RETAIL COMPANIES TO EXPAND TESTING

April 27, 2020: Trump Reintroduced Proposed Partnerships With Drug Retail Corporations And Lab Testing Companies To Increase Mass Testing Nationwide. According to Bloomberg, "The Trump administration is leaning heavily on the nation's drug retailers and lab-testing companies to try to solve a problem that has vexed it since the beginning of the coronavirus pandemic: Getting mass testing up and running smoothly. Expanding on an earlier effort to ramp up testing in store parking lots, the White House on Monday revealed plans to partner with Walmart Inc., CVS Health Corp., Walgreens Boots Alliance Inc. and other chain retailers and diagnostics companies to put testing facilities in place nationwide. If successful, it could amount to the biggest expansion yet of testing capacity in the U.S. But the new push also comes months into an outbreak that has sickened nearly a million Americans and shut in much of the broader economy. The administration hopes to have the capacity for all 50 states to test at least 2% of residents, with an emphasis on screening in elderly and minority communities that have seen the highest mortality rates." [Bloomberg, 4/27/20]

March, 2020: Trump Had Announced Partnership With CVS, Target, Walmart And Walgreens On Testing Sites. According to Bloomberg, "The stepped-up testing program comes a month after the administration joined with many of the same retailers in an initial attempt to expand capacity. In March, the administration said it would would partner with CVS, Target Corp., Walmart and Walgreens on testing sites. Rite Aid Corp. later joined the group. That effort was slow to gain traction. In the first month, only a handful of locations opened, and about 70 are now up and running. But the bulk of diagnostic testing is still being done at hospitals or by other health-care providers. As a result, testing has been focused mostly on very sick people, leading to what public-health experts believe is a serious undercount of coronavirus cases." [Bloomberg, 4/27/20]

MAY, 2020: STUDY FOUND THAT 54% OF ALL COUNTIES DID NOT HAVE A TEST SITE

Software Company Castlight Found That 54% Of All Counties Did Not Have A Testing Site. According to Axios, "More than half of U.S. counties don't have a single coronavirus testing site, according to a recent report by Castlight, a health software company. Why it matters: That leaves a wide swath of the country — particularly rural areas — vulnerable to undetected coronavirus outbreaks, especially as lockdown measures ease. Asking people to travel long distances to get a coronavirus test is both unrealistic and potentially dangerous. By the numbers: 54% of all counties don't have a testing site." [Axios, 5/20/20]

MAY: DEMAND FOR COVID-19 DIAGNOSTIC TESTING MACHINES OUTRAN SUPPLY SLOWING DIAGNOSTIC TESTING OVERALL

The Demand For Coronavirus Testing Machines Outpaced Supply Threatening To Critically Slow Nationwide Diagnostic Testing. According to NPR, "Coronavirus testing in the U.S. has run into a number of snags, from a lack of nasal swabs to not enough chemicals needed to run the tests. Now there's a new bottleneck emerging: A shortage of the machines that process the tests and give results. Civilian labs and the Pentagon say they've had trouble getting the sophisticated, automated machines that can run hundreds of diagnostic tests at once. Three machine manufacturers — Hologic Inc., Roche and Abbott Laboratories — have confirmed to NPR that demand is outstripping supply. Public health experts say the machine shortages are upending a complicated supply chain just as the shortages of swabs, chemicals and other testing materials have begun to ease. Experts warn the lack of machines will hold the U.S. back from ramping up diagnostic testing to better understand where the coronavirus is spreading and how to stop outbreaks. 'We're gonna get stuck again,' said Ashish Jha, director of the Harvard Global Health Institute. 'We keep sort of fixing one bottleneck, and testing gets a bit better, and then we get stuck with the next bottleneck.'" [NPR, 5/28/20]

JUNE: TRUMP ADMINISTRATION HAD NOT SPENT $14 BILLION MEANT FOR TESTING AND CONTACT TRACING

Schumer-Murray Letter To Azar Said Trump Administration Hadn't Spent $14 Billion Meant For Testing And Contact Tracing. According to NBC News, "WASHINGTON — The Trump administration has been sitting on nearly $14 billion in funding that Congress passed for coronavirus testing and contact tracing, according to Democratic Sens. Chuck Schumer of New York and Patty Murray of Washington. The top Democrats said in a letter Sunday to Health and Human Services Secretary Alex Azar that the Trump administration has "still failed" to

distribute more than $8 billion out of $25 billion appropriated by Congress to expand testing and contact tracing. The letter indicated that Congress passed these funds as part of a coronavirus relief bill in April. The Centers for Disease Control and Prevention also hasn't awarded nearly $4 billion for surveillance and contact tracing at the state and local levels and tribal territories, they said, and little of $2 billion set aside for free testing for uninsured people has been disbursed. "While it has been months since these funds were first appropriated, the Administration has failed to disburse significant amounts of this funding, leaving communities without the resources they need to address the significant challenges presented by the virus," they wrote." [NBC News, 6/22/20]

JUNE: TRUMP ADMINISTRATION PLANNED TO END FUNDING FOR 13 LOCAL TESTING SITES

Trump Administration Planned To End Funding For 13 Local Coronavirus Testing Sites. According to Talking Points Memo, "The Trump administration is ending funding and support for local COVID-19 testing sites around the country this month, as cases and hospitalizations are skyrocketing in many states. The federal government will stop providing money and support for 13 sites across five states which were originally set up in the first months of the pandemic to speed up testing at the local level. Local officials and public health experts expressed a mixture of frustration, resignation, and horror at the decision to let federal support lapse." [TPM, 6/23/20]

Trump Sought To Push Responsibility For Testing Onto States

HHS SOUGHT TO END FUNDING FOR COVID-19 TESTING SITES AND HAVE STATE AND LOCAL GOVERNMENTS CONDUCT TESTING WITHOUT FEDERAL SUPPORT

The Federal Government Planned To Withdraw Essential Funding And Resources From Local Coronavirus Testing Sites

Federal Government Planned To End Funding For Local Coronavirus Testing Sites. According to NPR, "Some local officials are disappointed the federal government will end funding for coronavirus testing sites this Friday. In a few places those sites will close as a result. This as criticism continues that not enough testing is available. In the Philadelphia suburbs, Montgomery County has a drive-through site that has tested 250 people a day since March 21. 'It has been a very successful site. We are hoping by the time it closes Friday afternoon that we will have tested a little over 5,000 individuals,' says Dr. Valerie Arkoosh, who chairs the commission in the county of more than 825,000 people. Montgomery County has been hit hard by the pandemic. By Tuesday the county identified 1,294 positive cases and reported 32 COVID-19-related deaths. Arkoosh says local officials staffed the site and the federal government provided much-needed testing supplies and access to a lab. 'This site came with a contract with LabCorp, who accepted 250 samples from this site every day,' and she says the county is not able to secure the supplies and tests on its own." [NPR, 4/8/20]

HHS Spokesperson Initially Said They Planned To Transfer The Community Based Testing Sites To States' Control

An HHS Spokesperson Asserted That The Community-Based Testing Sites Were Not Closing Rather "Transitioning To State-Managed" Right As The Virus Was Expected To Surge. According to NPR, "A spokesperson for the U.S. Department of Health and Human Services tells NPR, 'Many of the Community-Based Testing Sites (CBTS) are not closing, but rather transitioning to state-managed sites on or about April 10.' The agency and a spokesperson for FEMA say the CBTS program originally included 41 sites. It was intended as a stop-gap to bring testing to critical locations, especially for health care facility workers and first responders. 'The transition will ensure each state has the flexibility and autonomy to manage and operate testing sites within the needs of their specific community and to prioritize resources where they are needed the most,' the HHS spokesperson said. But that doesn't satisfy Arkoosh in Montgomery County, who says, 'I am understandably disappointed that the supplies and federal contract for lab testing is ending just as we are heading into the surge here in southeastern Pennsylvania.' Arkoosh says local hospitals do have their own testing sites set up now, but it's not yet clear if they will be able to handle the extra testing now that the federal help is being withdrawn." [NPR, 4/8/20]

HHS Spokesperson Walked Back Shift By Softening 4/9/20 Deadline And Reaffirmed Continued Support For States That Requested It

HHS Spox Walked Back FEMA Memo's 5pm 4/9/20 Shift To States Deadline, But Required States That Wanted Federal Assistance To Request It. According to Politico, "The federal government wants states to consider taking control of drive-through coronavirus testing sites, currently run by HHS and FEMA, that have tested more than 77,000 people to date. NPR first reported Thursday morning that officials in several communities home to testing sites are worried they will lose needed supplies and funding as a result of the proposed transition plan. But an HHS spokesperson told POLITICO the federal government will continue to operate the sites if governors request such assistance — and said that the agency would not hold states to the deadline listed in a FEMA memo: 5 p.m. today. 'I want to be clear that the federal government is not abandoning any of the community-based testing sites,' HHS testing czar Brett Giroir told reporters late Thursday. 'Many people want the federal government to allow them to do the programs as they want — without the Public Health Service officers, without the restrictions that we have.' Giroir said that some states have already chosen to take over testing sites. Others — including Colorado, Illinois, Louisiana, New Jersey and Texas — have asked for continued federal support, Vice President Mike Pence said Thursday night at a White House briefing." [Politico, 4/9/20]

TRUMP REJECTED IDEA OF A NATIONAL TESTING STRATEGY

Trump Rejected Democrat Proposal Requiring The Trump Administration Establish A National Testing Strategy As A Condition For Allocated $25 Billion For Testing. According to New York Times, "Democrats are pushing to include a requirement in the measure, which is likely to include $25 billion for testing, that the Trump administration establish a national testing strategy, a move the president and Republicans have resisted, insisting on leaving those decisions to each state. The impasse hindering the latest round of federal aid to respond to the coronavirus pandemic reflects a broader disagreement over how to handle testing, a crucial element of the government response on which the Trump administration has been roundly criticized for falling short. President Trump and members of his team have boasted repeatedly about the amount of testing available and pressured governors to accelerate testing in their states. Governors have repeatedly appealed for more federal funding and other help — or, in the case of Gov. Larry Hogan of Maryland, taken matters into their own hands and negotiated with suppliers on their own to obtain test kits. Democrats argue that a national testing strategy is crucial to combating the spread of the coronavirus and allowing states to plan for eventual reopening. But Republicans, wary of placing the political onus on the administration to devise and implement such a strategy, have argued that states should set their own plans. And Mr. Trump appeared to reject the Democrats' proposal on Monday, saying that they were 'playing a very dangerous political game' by focusing on testing. 'States, not the Federal Government, should be doing the Testing,' Mr. Trump wrote on Twitter." [New York Times, 4/20/20]

Trump Administration Ordered Bill Gates Backed Testing Initiative To Halt Testing Pending Review

FDA Ordered Bill Gates Backed Testing Initiative To Halt Its At Home Testing Pending Review. According to the New York Times, "An innovative coronavirus testing program in the Seattle area — promoted by the billionaire Bill Gates and local public health officials as a way of conducting wider surveillance on the invisible spread of the virus — has been ordered by the federal government to stop its work pending additional reviews. The program involved sending home test kits to both healthy and sick people in the hope of conducting the kind of widespread monitoring that could help communities safely reopen from lockdowns. Researchers and public health authorities already had tested thousands of samples, finding dozens of previously undetected cases. But the program, a partnership between research groups and the Seattle and King County public health department that had been operating under authorization from the state, was notified this week that it now needs approval directly from the federal government. Officials with the Food and Drug Administration told the partnership to cease its testing and reporting until the agency grants further approval." [NYT, 5/15/20]

CDC Had Provided An In Person Technical Advisor To The Project. According to the New York Times, "But the Seattle program does not test for antibodies and has wide backing, including from public health leaders, the Fred Hutchinson Cancer Research Center and Mr. Gates, whose foundation has been deeply involved in fighting the pandemic. The Centers for Disease Control and Prevention also provided an in-person technical adviser to the project." [NYT, 5/15/20]

Gates Group Had Roots In Seattle Flu Study That Had Discovered The First Case Of Community Transmission In The Region In February. According to the New York Times, "The program has roots in the Seattle Flu Study, which over the fall and winter had collected thousands of samples from people in Washington State who had symptoms of illness. As previously detailed in The New York Times, researchers there had struggled to get government approval to test those old samples for the coronavirus and report the results. By the end of February, those researchers ended up doing some testing anyway, discovered the first case of community transmission in the region and provided key evidence that the virus had most likely been circulating for weeks." [NYT, 5/15/20]

High Demand And Lack Of Supplies Resulted In Delays In Test Results

Test Results Were Delayed Due To Labs Pushed Beyond Capacity And Supply Shortages. According to The Washington Post, "Test results for the novel coronavirus are taking so long to come back that experts say the results across the United States are often proving useless in the campaign to control the deadly disease. Some testing sites are struggling to provide results in five to seven days. Others are taking even longer. Outbreaks across the Sun Belt have strained labs beyond capacity. That rising demand, in turn, has caused shortages of swabs, chemical reagents and equipment as far away as New York. The long testing turnaround times are making it impossible for the United States to replicate the central strategy used by other countries to effectively contain the virus — test, trace and isolate. Like catching any killer, speed is of the essence when it comes to the coronavirus. 'Instead of going from one step to the next, it's like you're already stumbling right out of the gate,' said Crystal R. Watson, a public health expert at Johns Hopkins University. 'It makes contact tracing almost useless. By the time a person is getting results, they already have symptoms, their contacts may already have symptoms and have gone on to infect others.'" [Washington Post, 7/12/20]

The Trump Administration Refused To Acknowledge The Widespread Supply Shortages Impacting U.S. Testing Facilities, Claiming HHS And FEMA Were "Meeting All State Testing Needs." According to The Washington Post, "This week, eight organizations representing those working in U.S. labs sent a letter to Vice President Pence pleading for help with test supplies. One of those groups, the American Association for Clinical Chemistry, said it raised those same concerns last month in a call with Giroir, who said he had designated an official in each state to oversee the test supply chain and promised to give the organizations a list of those officials so they could direct pleas for help to them. But the group never received that list and has not heard back from the administration. 'Instead, we're all still competing against each other like the Hunger Games for critical supplies,' said David Grenache, president-elect of the association and chief scientific officer of a lab in New Mexico. In response to questions, the Trump administration did not acknowledge shortages of testing supplies exist. HHS spokeswoman Heck said, 'At this time, HHS and FEMA are meeting all state testing needs.' HHS noted that the federal government has sent many testing supplies to states, and that states are responsible for distributing them to labs." [Washington Post, 7/12/20]

FDA Approved Antibody Tests Without Prior Review

FDA LET ANTIBODY TESTS GO TO MARKET WITHOUT REVIEW

FDA Approved The Roll Out Of Over 90 Antibody Tests Without Undergoing A Formal Review Of The Process, Potentially Increasing Risks Of Misdiagnosis Or Reinfection. According to The Washington Post, "The Food and Drug Administration, criticized for slowness in authorizing tests to detect coronavirus infections, has taken a strikingly different approach to antibody tests, allowing more than 90 on the market without prior review, including some marketed fraudulently and of dubious quality, according to testing experts and the agency itself. Antibody, or serological, tests are designed to identify people who may have overcome covid-19, including those who had no symptoms, and developed an immune response. They are not designed to detect active infections. Some officials tout the blood tests as a way to reopen the economy by identifying individuals who have developed immunity and can safely return to work. But many scientists, as well as the World Health Organization, say evidence is lacking that even high-quality antibody tests can prove someone has immunity from the novel coronavirus and is not at risk of being reinfected. The emergence of dozens of tests never reviewed by the FDA — many of which are being aggressively marketed — could confuse doctors, hospitals, employers and consumers

clamoring for the products, according to critics who say the agency's oversight of the tests has been lax. The questions are taking on special importance as federal and state officials debate strategies, including using serological testing, to help determine when they can end state and local lockdowns." [Washington Post, 4/19/20]

4 Out Of The 110 Corporations And Laboratories Offering Coronavirus Antibody Tests Had Been Formally Vetted And Approved By The FDA. According to Yahoo News, "With President Trump and many others eager to see the country recover from the coronavirus, antibody tests are emerging as a crucial marker of just how prepared the nation is to lift restrictive measures that have kept about nine out of 10 Americans under lockdown for weeks. Those tests have been quickly brought to market, with maximum speed and minimum oversight, recalling the disorganized rollout of diagnostic tests throughout March. And this time around, the near-total absence of federal regulation could result in the American market being flooded with tests that one former director of the Centers for Disease Control and Prevention described as 'junk.' There are now 110 different corporations and laboratories offering coronavirus tests, but only four of those tests have been vetted by the Food and Drug Administration under Emergency Use Authorization guidelines, which can expedite approval of medical products during a public health crisis." [Yahoo News, 4/20/20]

Many Antibody Tests FDA Let Go To Market Were Not Accurate Enough To Identify Survivors. According to Politico, "Normally, the FDA does its own quality check before allowing tests on the market. Agency leaders have said they tried to create more flexibility for makers of antibody tests to help inform discussions about when people can safely return to work and school, and to identify survivors whose antibody-rich blood could help treat the sick. But many of the tests available now aren't accurate enough for such purposes. Some are giving too many false positive results, which could mislead people into thinking they have already been infected. The problem has gotten so bad that the New York City Health Department warned health providers last week against using the tests to determine whether someone is infected with the coronavirus or has developed immunity through exposure." [Politico, 4/27/20]

OFFICIALS KNEW TESTS WERE SERIOUSLY FLAWED

Federal Officials Knew Antibody Test Kits Were Flawed. According to CBS News, "Wyatt Earp, the gunslinger who helped tame the American West, once said, 'fast is fine but accuracy is final.' The same thing could be said about testing for COVID-19. Back in March, the Food and Drug Administration took the unprecedented step of allowing COVID antibody tests to flood the market without review. The tests were billed as a critical tool to assess where the virus had spread and who might have immunity. But in the government's rush to get more people tested quickly, it may have missed the mark. Over the course of a three-month investigation, 60 Minutes has learned that federal officials knew many of the antibody tests were seriously flawed but continued to allow them to be sold anyway. Now, as Coronavirus surges in parts of the country, that government failure is complicating efforts to know the reach of the Coronavirus" [CBS News, 6/28/20].

THE CDC ANNOUNCED ANTI-BODY TESTING SHOULD NOT BE UTILIZED TO DETERMINE ELIGIBILITY TO RETURN TO WORK

The CDC Recommended Against Individuals Using Anti-Body Testing In Deciding Whether To Return To Work. According to The Hill, "Antibody tests that determine if someone has had the coronavirus in the past should not be used for making decisions about people returning to work, the Centers for Disease Control and Prevention (CDC) says in new guidance. The CDC raised concerns with the accuracy of the tests and said that even if someone has antibodies indicating they have already had the virus, it is unclear how long immunity from the virus lasts or how durable it is. The guidance comes as a note of warning about antibody tests, given that some have expressed hope that antibody testing could help pave the way for certain people to return to work if they test positive and are shown to have already had the virus." [Hill, 5/27/20]

FDA Failed To Mandate Blood Banks Test Plasma Intended For Treatment For Covid-19 Antibodies

FDA Failed To Mandate Blood Banks Collecting Plasma For Convalescent Plasma Treatment Test Gathered Plasma For Covid-19 Antibodies. According to Yahoo News, "Recovering from an infectious disease

usually leaves a patient with plenty of armaments, known as antibodies, against the infection. Those antibodies can be collected in the form of convalescent plasma and transferred to someone still battling the same infection, potentially providing the crucial boost the recipient needs to recover. What those patients may not realize is that the medical establishment remains uncertain about a coronavirus treatment that has been available to Americans for more than a month. In its understandable rush to make convalescent plasma available, the FDA did not mandate that blood banks test the blood they collect for the very coronavirus antibodies that make the treatment promising. Of the three levels of testing donated blood for antibodies, only the least rigorous — and hence the least exact — is mandated. That has put the medical establishment in an uncomfortable position, with many touting the treatment but some also warning against it. The epidemiologist S.P. Kalantri, of the Mahatma Gandhi Institute of Medical Sciences, recently denounced stories of convalescent plasma's success as 'just small anecdotes at best' and 'not science.'" [Yahoo News, 5/22/20]

States And Nursing Homes Were Sent Expired And Faulty N95 Masks And PPE By The Federal Government While Others' Requests Went Unanswered Or Unfilled

State Requests To The Federal Government For N95 Masks Have Gone Unanswered Or Unfulfilled. According to the New York Times, "Oregon sent a letter to Vice President Mike Pence on March 3 asking for 400,000 N95 masks. For days, it got no response, and only by March 14 received its first shipment, of 36,800 masks. But there was a problem. Most of the equipment they got was well past the expiration date and so 'wouldn't be suitable for surgical settings,' the state said. New York City also put in a request for more than 2 million masks and only received 76,000; all were expired, said Deanne Criswell, New York City's emergency management commissioner. The city is also requesting additional beds for intensive care units and medical teams to staff a convention center that may be turned into a temporary medical facility." [New York Times, 3/17/20]

TRUMP ADMINISTRATION SHIPPED EXPIRED EQUIPMENT TO NEW YORK, PENNSYLVANIA, OREGON, SOUTH CAROLINA, AND ALABAMA

State Officials For Pennsylvania, South Carolina, And Alabama Told NBC They Had Received Expired Medical Supplies From The Federal Emergency National Stockpile. According to NBC News, "NBC News found its own examples of problems with the federal government's emergency national stockpile similar to those detailed in the report. State officials in Alabama, South Carolina and Pennsylvania said they had received expired medical supplies." [NBC News, 4/6/20]

New York City Asked For 2 Million Masks, Received 76,000, All Of Which Were Expired. According to the New York Times, "New York City also put in a request for more than 2 million masks and only received 76,000; all were expired, said Deanne Criswell, New York City's emergency management commissioner. The city is also requesting additional beds for intensive care units and medical teams to staff a convention center that may be turned into a temporary medical facility." [New York Times, 3/17/20]

HHS IG Survey Of 300 Hospitals Found Shipments Of Masks And PPE From The Federal Government That Were Expired, With Some Masks Child-Sized

Survey Of 324 Hospitals Across The US Showed Some Shipments Of Masks And PPE Allocated By The Federal Government Were Expired Or Child-Sized. According to NBC News, "The report, which is based on interviews with administrators from 324 hospitals and hospital networks of varying sizes, said that equipment provided to hospitals from the federal government fell far short of what was needed and was sometimes not usable or of low quality. According to the report, one hospital received two shipments from the Federal Emergency Management Agency with protective gear that had expired in 2010. Another hospital system received 1,000 masks from federal and state governments, even though it expected a much larger delivery, and "500 of the masks were for children and therefore unusable for adult staff," the report said. Elastic on N95 masks from one state government reserve had "dry-rotted" and could not be used, it said." [NBC News, 4/6/20]

- **HHS IG Released Report On Hospital Shortages Of Equipment.** According to NBC News, "WASHINGTON — Hospitals across the country face dire shortages of vital medical equipment amid the coronavirus outbreak — including testing kits and thermometers — and fear they can't ensure the safety of health care workers needed to treat patients with COVID-19,

according to an internal government watchdog report released Monday. The alarming findings, based on interviews conducted from March 23 to March 27, represent the first government assessment of how the country's hospitals are coping with the outbreak and confirm previous media reports and warnings from health workers that the medical system is under unprecedented strain. Hospital administrators also said conflicting guidance from federal, state and local governments on how to use personal protective gear and other issues has led to "a greater sense of confusion, fear and distrust among staff that they can rely on hospital procedures to protect them," according to the report from the inspector general for the Department of Health and Human Services, or HHS." [NBC News, 4/6/20]

TRUMP ADMINISTRATION STATED IT COULD TAKE UP TO 18 MONTHS TO DELIVER 500 MILLION ADDITIONAL N95 MASKS

Trump Stated It Could Take Up To 18 Months To Deliver Additional N95 Masks Due To Slow Manufacturing And Incremental Distribution. According to Bloomberg, "The 500 million N95 air-filtering respirator masks President Donald Trump said the federal government ordered could take up to 18 months to be delivered, according to the grant application. There has been a shortage of the masks, and health-care workers are being told to reuse them. The government is expecting the masks to be delivered incrementally, according to the application, but will allow those deliveries to occur over 18 months. Manufacturers in China aren't able to fulfill the request. Health & Human Services Secretary Alex Azar could direct companies to produce and distribute the masks under an executive order signed Wednesday, but Trump said it would be used for a 'worst-case scenario' and hopefully wouldn't be needed." [Bloomberg, 3/19/20]

FEMA DIRECTOR GAYNOR WAS UNABLE TO GIVE DETAILS HOW HIS AGENCY PLANNED TO DISTRIBUTE MASKS TO ADDRESS THE NATIONAL SHORTAGE

March 22, 2020: FEMA Director Gaynor Was Unable To Give Accurate Details How His Agency Planned To Distribute Masks To Address The National Shortage. According to Politico, "Federal Emergency Management Agency Administrator Peter Gaynor said Sunday that masks are currently being shipped to states, particularly hot spots like New York City and California — an announcement that comes as health care workers grow increasingly desperate for critical medical gear. However, Gaynor was unable to give more detail on when the masks would arrive or provide specific numbers. 'They have been distributed. They've been distributed over the past couple of weeks. They're shipping today. They'll ship tomorrow,' he said on ABC's 'This Week.' ABC's Martha Raddatz asked Gaynor if facilities would get them in time before the health system in critically affected states is overwhelmed. 'Again, they're shipping today, they shipped yesterday and they're shipping tomorrow.' The White House coronavirus task force announced Saturday that 600 million N-95 masks were ordered to protect U.S. health care workers, but officials were unable to answer when they would be ready for use. At the briefing, Gaynor told reporters: 'Every single governor across the country is looking for the exact same thing, so it's a balance' and added that the masks 'are out there now.'" [Politico, 3/22/20]

TRUMP ADMIN SENT FAULTY PPE TO NURSING HOMES

Federal Government Shipped Expired Masks That "Should Never Have Gone Out" To Nursing Homes. According to ABC News, "Federal officials are trying to correct errors that resulted in shipments of outdated or impractical equipment to America's hard-hit nursing homes in the midst of the coronavirus pandemic, according to an audio recording obtained by ABC News of a call between a top government official and advocates for those in nursing care. Col. Brian Kuhn, the defense logistics official overseeing the shipments, acknowledged that some nursing homes received respirator masks that were "way expired" and "should have never gone out," according to the recording of a call with members of LeadingAge, an association of nonprofit providers of aging services that includes many nursing homes. The group also posted the audio of the call online." [ABC News, 6/16/20]

Federal Shipments Of PPE To Nursing Homes Touted By Pence Were Defective; "Masks With Snapped Elastic Straps And Gowns With No Holes For Arms Or Heads." According to ABC News, "Federal shipments of protective gear touted by Vice President Mike Pence as part of an effort to provide vital support to the nation's nursing homes beleaguered by COVID-19 have at times included flimsy cloth masks and "trash bag"-like gowns that fail to meet even basic infection control standards, according to several groups that represent elder facilities. Nursing home officials described equipment that was difficult to use or did not serve its intended purpose,

such as masks with snapped elastic straps and gowns with no holes for arms or heads, even as Pence posed for camera crews unloading boxes of the supplies." [ABC News, 6/13/20]

The US Auctioned Protective N95 Respirator Masks As The First Cases Of COVID-19 Signaled A Nationwide Crisis

February 1, 2020: GSA Auctioned 80 Cases Of N95 Respirator Masks And Cancelled Another Sale Weeks Later. According to The Wall Street Journal, "As the coronavirus was emerging as an international concern, a U.S. government agency sold 80 cases of protective masks that are now in high demand, though it canceled another sale weeks later as the nation was bracing for a domestic outbreak, reserving them for government use. The quantity of masks sold by the GSA was a tiny fraction of what is needed nationwide. Because of high demand, officials around the country are scrambling for additional masks, with some medical workers having to re-use them due to the shortage. The General Services Administration, which handles procurement and other support services for government agencies, on Feb. 1 auctioned off two lots of N95 respirator masks manufactured by 3M Co. Each lot contained 40 cases of the masks, with 160 masks per case, and sold for $11,530 and $11,136, respectively, according to public records. The auction closed two days after the World Health Organization declared the coronavirus a public-health emergency of international concern." [The Wall Street Journal, 3/30/20]

Department Of State Sent Nearly 18 Tons Of Medical Supplies To China Three Weeks After First US Case Was Reported

Federal Government Sent Nearly 18 Tons Of Medical Supplies To China Three Weeks After First U.S. Case Was Reported. According to Mother Jones, "The United States government sent nearly 17.8 tons of donated medical supplies to China—including masks and respirators—almost three weeks after the first case of the coronavirus was reported in the state of Washington. In a press release from the State Department dated Feb. 7, the agency announced it was prepared to spend up to $100 million to assist China as the number of COVID-19 cases and deaths continued to rise there. The day the press release went out, Trump tweeted that he spoke with China's President Xi Jinping and that China would be "successful especially as the weather starts to warm & the virus hopefully becomes weaker and then gone." [Mother Jones, 3/29/20]

February 7, 2020: State Department Said It Was Prepared To Spend $100 Million To Assist China. According to Mother Jones, "The United States government sent nearly 17.8 tons of donated medical supplies to China—including masks and respirators—almost three weeks after the first case of the coronavirus was reported in the state of Washington. In a press release from the State Department dated Feb. 7, the agency announced it was prepared to spend up to $100 million to assist China as the number of COVID-19 cases and deaths continued to rise there. The day the press release went out, Trump tweeted that he spoke with China's President Xi Jinping and that China would be "successful especially as the weather starts to warm & the virus hopefully becomes weaker and then gone." [Mother Jones, 3/29/20]

Trump Administration Rejected An Early Offer From Prestige Ameritech To Increase Production Of N95 Masks, Later FEMA Awarded Small Contract And Did Not Take Advantage Of Capacity

January: Admin Official Dr. Rick Bright And Medical Supply Manufacturer Michael Bowen Of Prestige Ameritech Jointly Warned Senior Trump Officials Of The Potential Threat Posed By Coronavirus. According to New York Times, "Dr. Bright began sounding alarms on coronavirus within weeks of its emergence in January, expressing a sense of urgency that he felt his superiors and the president did not share. On Jan. 18, the complaint said, he pushed Dr. Kadlec to convene high-level meetings about the virus, but Dr. Kadlec 'initially rejected' the request. Dr. Bright had been in contact with Mike Bowen, an executive at Prestige Ameritech, a mask manufacturer, who had been warning for years that the United States was too dependent on China for its mask supply. Mr. Bowen, who in an interview called Dr. Bright a 'great public servant who didn't have the authority to do anything,' told Dr. Bright on Feb. 5 that a 'Trump insider' had heard his pleas. 'Please ask your associates to

convey the gravity of this national security issue to the White House,' Mr. Bowen wrote, two days before Mr. Navarro invited Dr. Bright to meet with him at the White House. 'I'm pretty sure you'll get the chance.'" [New York Times, 5/11/20]

January 22, 2020: Immediately Following The First Detected Cases Of COVID-19 In The U.S., Michael Bowen Contacted HHS Offering To Ramp Up N95 Mask Production To 1.7 Million Per Week And Was Rejected. According to The Washington Post, "It was Jan. 22, a day after the first case of covid-19 was detected in the United States, and orders were pouring into Michael Bowen's company outside Fort Worth, some from as far away as Hong Kong. Bowen's medical supply company, Prestige Ameritech, could ramp up production to make an additional 1.7 million N95 masks a week. He viewed the shrinking domestic production of medical masks as a national security issue, though, and he wanted to give the federal government first dibs. 'We still have four like-new N95 manufacturing lines,' Bowen wrote that day in an email to top administrators in the Department of Health and Human Services. 'Reactivating these machines would be very difficult and very expensive but could be achieved in a dire situation.' But communications over several days with senior agency officials — including Robert Kadlec, the assistant secretary for preparedness and emergency response — left Bowen with the clear impression that there was little immediate interest in his offer. 'I don't believe we as an government are anywhere near answering those questions for you yet,' Laura Wolf, director of the agency's Division of Critical Infrastructure Protection, responded that same day." [Washington Post, 5/9/20]

January 23, 2020: Bowen Made A Second Offer To Reactivate Mask Production Lines With Federal Support As Described In Dr. Rick Bright's Whistleblower Complaint Report. According to The Washington Post, "'We are the last major domestic mask company,' he wrote on Jan. 23. 'My phones are ringing now, so I don't 'need' government business. I'm just letting you know that I can help you preserve our infrastructure if things ever get really bad. I'm a patriot first, businessman second.' In the end, the government did not take Bowen up on his offer. Even today, production lines that could be making more than 7 million masks a month sit dormant. Bowen's overture was described briefly in an 89-page whistleblower complaint filed this week by Rick Bright, former director of the Biomedical Advanced Research and Development Authority. Bright alleges he was retaliated against by Kadlec and other officials — including being reassigned to a lesser post — because he tried to 'prioritize science and safety over political expediency.' HHS has disputed his allegations." [Washington Post, 5/9/20]

January 26, 2020: Bowen Reached Out Directly To Dr. Bright, "U.S. Mask Supply Is At Imminent Risk," And A Day Later, "Rick, I Think We're In Deep S---." According to The Washington Post, "Emails show Bright pressed Kadlec and other agency leaders on the issue of mask shortages — and Bowen's proposal specifically — to no avail. On Jan. 26, Bright wrote to a deputy that Bowen's warnings 'seem to be falling on deaf ears.' That day, Bowen sent Bright a more direct warning. 'U.S. mask supply is at imminent risk,' he wrote. 'Rick, I think we're in deep s---,' he wrote a day later. The story of Bowen's offer illustrates a missed opportunity in the early days of the pandemic, one laid out in Bright's whistleblower complaint, interviews with Bowen and emails provided by both men. Within weeks, a shortage of masks was endangering health-care workers in hard-hit areas across the country, and the Trump administration was scrambling to buy more masks — sometimes placing bulk orders with third-party distributors for many times the standard price. President Trump came under pressure to use extraordinary government powers to force the private industry to ramp up production." [Washington Post, 5/9/20]

Bowen Later Went On Bannon's Podcast And Received A FEMA Contract At Explicit Direction Of White House

After Going On Bannon's Podcast, Prestige Ameritech Was Given $9.5 Million FEMA Contract At Explicit Request Of The White House. According to NBC News, "In early March, Mike Bowen, the executive vice president of the medical mask manufacturer Prestige Ameritech, found the perfect way to drum up some federal business: He went on Steve Bannon's podcast, which is highly popular at the White House. 'If the government wants to throw some money at it, we can hire more people and build more machines,' Bowen said during an appearance on the 'War Room' podcast co-hosted by Bannon, who was the chief executive officer of Donald Trump's presidential 2016 campaign. 'We're kind of out there on our own, and we are doing everything that we can possibly do on our own.' A month later, at the explicit request of the White House, Prestige Ameritech had a $9.5 million contract with the Federal Emergency Management Agency. It then won another deal with the state of Texas and was given 50 National Guard members, deployed by Republican Gov. Greg Abbott, to work shifts at its suburban Fort Worth manufacturing facility. Bannon told NBC News that his team connected Bowen to Peter Navarro, a top economic and trade adviser to Trump, who, like Bowen and much of Trump's political base, has long been upset about the movement of U.S. factories to Mexico and Asia." [NBC News, 4/24/20]

Prestige Ameritech Charged 79 Cents Per Mask, Other Companies Charged Up To 8 Times. According to the Washington Post, "The government soon spent over $600 million on contracts involving masks. Big companies like Honeywell and 3M were each awarded contracts totaling over $170 million for protective gear. One distributor of tactical gear — a company with no history of procuring medical equipment — was awarded a $55 million deal to provide masks for as much as $5.50 apiece, eight times what the government was paying months earlier. On April 7, FEMA awarded Prestige a $9.5 million contract to provide a million N95 masks a month for one year, an order the company could fulfill without activating its dormant manufacturing lines. For the masks, Prestige charged the government 79 cents apiece." [Washington Post, 5/9/20]

FEMA Contract Did Not Activate Dormant Manufacturing Lines. According to the Washington Post, "On April 7, FEMA awarded Prestige a $9.5 million contract to provide a million N95 masks a month for one year, an order the company could fulfill without activating its dormant manufacturing lines. For the masks, Prestige charged the government 79 cents apiece." [Washington Post, 5/9/20]

The Trump Administration Purchased Masks And Supplies At A Significant Price Mark Up

Attempting To Secure N95 Masks, The Trump Administration Contracted Third Party Distributors To Purchase Mask At A Price 8 Times Higher Than When US Intelligence Agencies Initially Warned Of Impending Pandemic. According to The Washington Post, "The Trump administration has awarded bulk contracts to third-party vendors in recent weeks in a scramble to obtain N95 respirator masks, and the government has paid the companies more than $5 per unit, nearly eight times what it would have spent in January and February when U.S. intelligence agencies warned of a looming global pandemic, procurement records show. The N95 masks are essential protective gear for health-care workers and others at elevated risk of coronavirus infection, and the government has recommended that people across the country wear masks and other face coverings when outside. Demand for the masks has created a frenzied, freewheeling global market that has pitted U.S. states against the federal government and rich nations against poorer ones. Administration officials leaped into the fray late, then embarked on a voracious spending spree. Though U.S. federal agencies made a small number of relatively modest purchases before the second half of March, the government has ordered more than $600 million worth of masks since then." [Washington Post, 4/15/20]

FEMA AWARDED $55 MILLION CONTRACT TO COMPANY WITH NO BULK MEDICAL EQUIPMENT HISTORY

The Trump Administration Awarded A $55 Million Contract To Purchase N95 Masks From A Third Party Distributor With No Experience Manufacturing Or Procuring Medical Equipment In Bulk. According to The Washington Post, "Large U.S. companies such as Honeywell and 3M have received the biggest orders, but the Trump administration also has signed high-dollar deals with third-party vendors selling masks for many times the standard price. The Federal Emergency Management Agency awarded a $55 million contract for N95s this month to Panthera Worldwide LLC, which is in the business of tactical training. One of its owners said last year that Panthera's parent company had not had any employees since May 2018, according to sworn testimony. It also has no history of manufacturing or procuring medical equipment, according to a review of records produced as a result of legal disputes involving the company and its affiliates. Panthera Worldwide's parent company filed for bankruptcy last fall, and the LLC is no longer recognized in Virginia — where it has its main office — following nonpayment of fees, which according to Virginia code results in 'the existence of a limited liability company' being 'automatically canceled.' James V. Punelli, one of the company's executives, said he is working his military contacts to obtain the masks." [Washington Post, 4/15/20]

- **FEMA Awarded No Bid Contract For 10 Million N95 Masks To Panthera For $5.50 Per Mask Compared To 3M's $.63 To $1.50 Per Mask And Prestige Ameritech's $.80 Per Mask.** According to The Washington Post, "The FEMA contract with Panthera, which was awarded without competitive bidding, has a start date of April 1, according to a summary. Lizzie Litzow, a FEMA spokeswoman, said the Panthera contract is for 10 million masks, adding, 'Panthera is not a manufacturer, they are a distributor of N95 masks.' The price that FEMA is paying Panthera per mask, about $5.50, is significantly higher than what the government pays companies such as 3M, which charges as little as 63 cents per N95 mask, with an average cost of about $1.50 for more advanced models, according to a price index. Prestige Ameritech, the largest

domestic mask manufacturer, is charging FEMA about 80 cents per mask for the government's order of 12 million N95 respirators, part of a $9.5 million contract that started April 7. Beyond the premium the federal government is paying to Panthera, the decision to award a contract to an insolvent organization with no apparent expertise in the given field struck experts as unusual." [Washington Post, 4/15/20]

Panthera Worldwide LLC Failed To Deliver The Promised 10 Million Protective Mask Causing FEMA To Cancel The $55 Million Contract They Awarded The Company. According to The Washington Post, "A little-known Virginia-based defense company that was awarded a $55 million federal contract to provide 10 million N95 masks for the U.S. government's coronavirus response failed to deliver and had its contract canceled Tuesday, according to the Federal Emergency Management Agency. Panthera Worldwide LLC, whose parent company filed for bankruptcy protection last year, had promised to deliver the much-needed personal protective equipment by May 1, despite having no history of providing such materials to the government. The owners told The Washington Post last month that the company was aiming to deliver the materials two weeks early. Instead, they sought a 10-day extension to May 11 and ultimately did not furnish the items. 'We are patriots and take pride in our products for the U.S. government, especially during this real medical crisis,' one of the company's executives, James V. Punelli, wrote in an email on April 15. He also promised that the masks would be provided before May 1 'for certain, in full and with a very high-quality product.' […] The unfulfilled contract leaves the U.S. government without an expected delivery of 10 million of the sought-after masks, which provide enhanced protection against the novel coronavirus by filtering airborne particles and droplets. It was the latest misfire by the Trump administration in its frantic quest for medical supplies, in this case relying on an untested company for critically needed masks." [Washington Post, 5/12/20]

Trump Administration Paid $413 To $600 Million For Mask-Cleaning Machines That Degraded Masks After 2 To 3 Treatments

The Coronavirus Task Force Paid $413 Million With A Ceiling Of $600 Million For Mask Cleaning Machines That Degraded Masks After Two To Three Treatments. According to NBC News, "It sounded like a great deal: The White House coronavirus task force would buy a defense company's new cleaning machines to allow critical protective masks to be reused up to 20 times. And at $60 million for 60 machines on April 3, the price was right. But over just a few days, the potential cost to taxpayers exploded to $413 million, according to notes of a coronavirus task force meeting obtained by NBC News. By May 1, the Pentagon pegged the ceiling at $600 million in a justification for awarding the deal without an open bidding process or an actual contract. Even worse, scientists and nurses say the recycled masks treated by these machines begin to degrade after two or three treatments, not 20, and the company says its own recent field testing has only confirmed the integrity of the masks for four cycles of use and decontamination." [NBC News, 5/20/20]

The Trump Pushed To Remove The FDA Limits Placed On The Waiver Of Safety Regulation Placed on the Battelle Company For The Production Of Mask Cleaning Machines. According to NBC News, "Battelle's sanitizers were mobilized by a task force designed to execute on Trump's demands, despite reservations about safety and cost. On March 29, Ohio Gov. Mike DeWine, a Republican, slammed the Food and Drug Administration for limiting a waiver of safety regulations for Battelle, which is based in his state. DeWine had lobbied heavily for the waiver in the first place and was upset that the use of Battelle machines was going to be restricted. At the time, Trump was highly sensitive to criticism from the nation's governors, having said that week that they should be 'appreciative' of the use of his power to help their states. DeWine went to bat for Battelle, which needed looser rules so that its machines could be deployed outside its main facility and used on more than 10,000 masks a day, according to the FDA and DeWine. The upbraiding of the administration drew headlines, and DeWine said Trump promised him the ruling would be changed. The president even pressured the FDA on Twitter. The broader waiver lifting the limit was announced by the FDA within hours, and DeWine showed his appreciation by thanking Trump and FDA Commissioner Stephen Hahn for intervening." [NBC News, 5/20/20]

Task Force Supply Chain Component Recommended Battelle Machines Because The Machines Were Supposed To Recycle A Mask 20 Times. According to NBC News, "Inside FEMA headquarters, Bartrum was met with resistance by the supply chain unit of the task force, which had recommended the deal in the first place, on the basis that the machines would allow front-line workers to use the same mask up to 20 times. The figure cited was based on Battelle's study of its own product. The supply chain unit chief, John Polowczyk, has been known to brag that he has a "blank check" from the president and doesn't care what his group has to spend to acquire goods, according to the person familiar with the task force's work." [NBC News, 5/20/20]

Five Days After Deal Was Public, NIH Study Found The Method The Battelle Machines Used Was Only Safe For Three Cycles. According to NBC News, "Five days after the deal became public, an NIH-led study concluded that the hydrogen peroxide vapor method of decontamination is only safe for three cycles. [NBC News, 5/20/20]

THE TRUMP ADMINISTRATION CONTRACTED COMPANIES INEXPERIENCED AND UNEQUIPPED TO ADDRESS THE COVID-19 PANDEMIC

Amid The Coronavirus Pandemic, The Trump Administration Awarded Numerous No-Bid Contracts To Improperly Vetted Companies With A Lack Of Professional Inexperience And Accusations Of Fraud. According to ProPublica, "A firm set up by a former telemarketer who once settled federal fraud charges for $2.7 million. A vodka distributor accused in a pending lawsuit of overstating its projected sales. An aspiring weapons dealer operating out of a single-family home. These three privately held companies are part of the new medical supply chain, offered a total of almost $74 million by the federal government to find and rapidly deliver vital protective equipment and COVID-19 testing supplies across the U.S. While there's no evidence that they obtained their deals through political connections, none of the three had to bid against competing firms. One has already lost its contract for lack of performance; it's unclear if the other two can fulfill their orders on time, or at all. They are among about 345 first-time federal contractors promised at least $1.8 billion in deals by the Trump administration since March, representing about 13% of total government spending on pandemic-related contracts of $13.8 billion, a ProPublica analysis of federal procurement data found. Like the three companies, many of the new contractors have no experience acquiring medical products." [ProPublica, 5/27/20]

FEMA Awarded $10.5 Million Contract To Fillakit LLC, A First Time Contractor Whose Owner Has Been Repeatedly Accused Of Fraud. According to ProPublica, "The owner of one first-time contractor examined by ProPublica, Fillakit LLC, has repeatedly faced fraud allegations. Beginning on May 7, FEMA gave three deals totaling $10.5 million to Fillakit, which had incorporated in Florida just seven days before, according to government records. Under the terms of the contracts, Fillakit is supposed to supply FEMA with swabs as well as containers for uncontaminated samples. Fillakit's incorporation documents list an address in a business park north of Houston, and a St. Petersburg, Florida, lawyer as its agent. They provide no information about the company's ownership. However, the cellphone number for Fillakit in the federal contract data belongs to Paul Wexler, a businessman repeatedly accused of fraudulent practices over the past two decades. Wexler's background is primarily in law and real estate, not medical supplies." [ProPublica, 5/27/20]

FEMA, Awarded A $48.8 Million Surgical Mask Supply Contract To The Boutique Liquor Company, Medea Inc. A Company Accused Of Fraudulently Representing Itself During Negotiations. According to ProPublica, "Medea Inc., a California-based liquor company, also got a federal contract to supply surgical masks. This month, FEMA awarded a $48.8 million deal to Medea, which is a boutique vodka brand best known for decorating its bottles with colorful LED displays. Its marketing videos feature former NBA star Shaquille O'Neal. A New Jersey finance firm is suing Medea in federal court, alleging it committed fraud during sales negotiations by falsely claiming Costco and Kroger had agreed to stock the brand nationwide. Medea has denied the allegations in court filings. A pending lawsuit is not normally grounds to deny a federal contract. Medea has high-level political ties in California. Terry McGann, a member of Medea's board and its former chief executive, is a former registered state lobbyist. McGann's wife, Marie Moretti, led a state agency that coordinated volunteer efforts across California before working as Medea's first chief financial officer. She's now its chief marketing officer. McGann said political influence did not help the liquor distributor secure the contract, and he referred all other questions to the company. Medea executives, including Moretti, did not respond to repeated requests for comment. FEMA did not answer a question about whether Medea has begun delivering masks, which are due by June 1. Asked about the company's qualifications, a FEMA spokesperson wrote that the liquor company was chosen 'based on meeting the evaluation factors for award specified in the solicitation.'" [ProPublica, 5/27/20]

FEMA Seized Independent Orders And Misdirected Medical Supplies From Hospitals, Clinics, And Essential Businesses Across The US

HOSPITALS AND CLINICS REPORTED SEIZURES OF MEDICAL SUPPLIES BY FEMA

Hospitals And Clinics Across The Country Reported Seizures Of Their Orders Of Medical And Protective Supplies By FEMA. Hospital Officials Received No Interim Guidance On How Resources Were To Be Distributed. According to Los Angeles Times, "Although President Trump has directed states and hospitals to secure what supplies they can, the federal government is quietly seizing orders, leaving medical providers across the country in the dark about where the material is going and how they can get what they need to deal with the coronavirus pandemic. Hospital and clinic officials in seven states described the seizures in interviews over the past week. The Federal Emergency Management Agency is not publicly reporting the acquisitions, despite the outlay of millions of dollars of taxpayer money, nor has the administration detailed how it decides which supplies to seize and where to reroute them. Officials who've had materials seized also say they've received no guidance from the government about how or if they will get access to the supplies they ordered. That has stoked concerns about how public funds are being spent and whether the Trump administration is fairly distributing scarce medical supplies." [Los Angeles Times, 4/7/20]

- **FEMA Seized A Large Florida Health System's Order For Thermometers.** According to Los Angeles Times, "The medical leaders on the front lines of the fight to control the coronavirus and keep patients alive say they are grasping for explanations. 'We can't get any answers,' said a California hospital official who asked not to be identified for fear of retaliation from the White House. In Florida, a large medical system saw an order for thermometers taken away. And officials at a system in Massachusetts were unable to determine where its order of masks went. 'Are they stockpiling this stuff? Are they distributing it? We don't know,' one official said. 'And are we going to ever get any of it back if we need supplies? It would be nice to know these things.' PeaceHealth, a 10-hospital system in Washington, Oregon and Alaska, had a shipment of testing supplies seized recently. 'It's incredibly frustrating,' said Richard DeCarlo, the system's chief operating officer. 'We had put wheels in motion with testing and protective equipment to allow us to secure and protect our staff and our patients,' he said. 'When testing went off the table, we had to come up with a whole new plan.'" [Los Angeles Times, 4/7/20]

GROCERS STRUGGLED TO OBTAIN PPE; WERE PREEMPTED BY FEMA PPE ORDERS

Grocery Stores Have Struggled To Compete For PPE. According to the Los Angeles Times, "Without a centralized process by the federal government to buy and distribute protective gear, states, cities and hospitals have scrambled to outbid each other — and the feds, too. With prices skyrocketing and supply chains disrupted, some grocery stores have struggled to compete." [Los Angeles Times, 4/26/20]

National Grocers Association Said Five Retailers Had Their Deals Canceled Because Vendors Said They Were Required To Give FEMA Requests Priority. According to Los Angeles Times, "According to the National Grocers Assn., in recent weeks five retailers — two of them in California — have seen their deals to buy masks suddenly fall apart when suppliers canceled or postponed the stores' orders, saying they were required to give priority to the Federal Emergency Management Agency's requests. The association, which declined to name the retailers, said that has forced some grocers to then have to ask the federal government for help. On a phone call last week with representatives of grocery and food industry groups, Agriculture Department officials said they would work with FEMA to distribute reusable masks to grocery stores. Store owners are being encouraged to submit requests to the government, though they've received no assurance they'll get anything. In just the last week, the director of emergency management for Miami-Dade County accused the federal agency of commandeering a shipment of 1 million N95 masks, and a Delaware medical equipment supplier said FEMA had taken control of two of his shipments intended for customers in the United States. As complaints have multiplied, FEMA officials have denied reports that the agency has seized urgently needed medical supplies or rerouted shipments already committed to other buyers. 'What we have found in these kind of cases is that it is a miscommunication between the customer and distributor,' a FEMA spokesman wrote." [Los Angeles Times, 4/26/20]

Trump Administration Failed To Cut Through Red Tape Stranding Supplies Independently Ordered By Washington State

Washington State Turned To Chinese Auto Conglomerate BYD Subsidiary For Masks; Over A Million Masks Sat In A State Warehouse Waiting On Federal Approval After An Initial Denial By A Federal Safety Agency. According to the Seattle Times,"As Washington state officials raced to buy protective gear for combating COVID-19, they bet big on a Chinese automotive conglomerate that has built what it calls the world's largest face-mask factory. Washington state has ordered $227.5 million worth of supplies — mostly masks — from a subsidiary

of China's BYD Co., accounting for more than half the value of all the state's orders for COVID-19 supplies. Of the BYD orders, three-quarters are weeks behind schedule, while more than a million masks it has delivered are idling in a state warehouse awaiting federal regulatory approval, according to records reviewed by The Seattle Times. A federal worker safety agency on Wednesday denied initial approval for BYD's N95s, placing the state's order in limbo." [Seattle Times, 5/18/20]

BYD Said The NIOSH Denial Was For "Easily Fixable" Paperwork Errors. According to the Seattle Times,"Regarding the denial of its N95 certification by the National Institute for Occupational Safety and Health (NIOSH), an arm of the U.S. Centers for Disease Control and Prevention, BYD said the masks passed a battery of physical tests and the rejection was for "easily fixable" paperwork errors." [Seattle Times, 5/18/20]

The Trump Administration Failed To Coordinate The Shipping Of Remdesivir To High Priority Hospitals; Sent Doses To "Less Impacted Counties"

32,000 Doses Of Remdesivir Intended For High Priority Hospitals Were Misdirected Due To A Lack Of Communication And Coordination From Within The Trump Administration. According to Axios, "A complete breakdown in communication and coordination within the Trump administration has undermined the distribution of a promising treatment, according to senior officials with direct knowledge of the discussions. Why it matters: The drug, remdesivir, hasn't made it to some of the high-priority hospitals where it's most needed, and administration officials have responded by shifting blame and avoiding responsibility, sources said. Where it stands: Gilead Sciences, the company that makes remdesivir, donated hundreds of thousands of doses to the federal government after the Food and Drug Administration authorized it as an emergency treatment for coronavirus patients. More than 32,000 doses of remdesivir were shipped and delivered on Tuesday to Indiana, Massachusetts, New Jersey, New York, Rhode Island, Tennessee and Virginia. But many of these doses went to 'less impacted counties,' an administration official said. 'Some went to the wrong places, some went to the right places,' said one senior official. 'We don't know who gave the order. And no one is claiming responsibility.'" [Axios, 5/8/20]

- **HHS And FEMA Were Tasked With Distributing Donated Remdesivir; Neither Took Responsibility.** According to Axios, "Between the lines: HHS was supposed to work with FEMA to allocate and distribute remdesivir to coronavirus hotspots around the U.S., but as the problems became apparent to the wider team on Wednesday, neither agency took responsibility. HHS was supposed to be the brains of the operation, using clinical expertise to allocate the drug to the places and hospitals around the country most in need, according a senior administration official, while FEMA was supposed to be the "arms and legs" putting that plan into action. But somewhere along the way, communication broke down. Thousands of doses were maldistributed, but as of Thursday, nobody was willing to put their name on this situation." [Axios, 5/8/20]

Trump Administration Misallocated Shipments Of Redemsivir To 15 New York Hospitals While Leaving 182 Without A Single Dose.

Data From The New York State Department Of Health Showed The Trump Administration Distributed Large Quantities Of Redemsivir To 15Hospitals Some Of Which Had A Surplus, While Over 182 Other New York Hospitals That Needed The Drug Did Not Receive A Single Dose. According to NY Daily News, "The Trump administration shipped nearly 50,000 doses of a promising new coronavirus drug to just 15 hospitals in New York last month, leaving some facilities with too much medicine while dozens of others had nothing to give their critically-ill patients, according to healthcare officials and data from local agencies. The 49,760 vials of remdesivir — the only federally approved COVID-19 medication — were sent to New York by the Department of Health and Human Services in early May as part of a larger national allocation donated by drugmaker Gilead Sciences. The shipment came on the heels of the medication getting emergency approval from the Food and Drug Administration after studies found the antiviral drug sped up the recovery process for patients with severe COVID-19 symptoms. A faster recovery, in turn, can be the difference between life and death. An HHS spokeswoman said last week that the 15 hospitals were picked because they had 'the greatest disease burden.' But data from the New York State Department of Health obtained by the Daily News shows that the hospitals that received the potentially life-saving drug got such large supplies that some didn't even use them up. Two of the selected hospitals were also in regions that have seen relatively small outbreaks of the virus, according to the data. Meanwhile, 182 other hospitals in New York that had a need for the drug — nearly a third of which are in the five boroughs — weren't given a single dose as part of the early May delivery, the data shows." [NY Daily News, 1/6/20]

Veteran Affairs' Severe Staffing Shortage Threatened To Place Vulnerable Lives At Risk As VA Facilities Braced To Treat An Influx Of Coronavirus Patients

A STAFFING SHORTAGE AT THE VA RAISED CONCERNS THAT LIVES COULD BE THREATENED AMID THE GROWING CORONAVIRUS OUTBREAK

A Chronic Staffing Shortage At The Department Of Veterans Affairs Raised Concerns That Lives Could Be Put At Risk Amid Growing Coronavirus Outbreak. According to CNN, "A chronic staffing shortage across the Department of Veterans Affairs is fueling new concerns that lives could be put at risk as the country's largest integrated health care system confronts the growing coronavirus pandemic. Data released in August revealed 49,000 vacant positions across the department, which employs more than 390,000 people. While the agency's budget has since increased, tens of thousands of jobs remain unfilled. 'It could end up killing people,' one VA official who works for a regional system said, referring to the likelihood that medical personnel at its 1,243 health care facilities across the country will be overwhelmed by a significant rise in patients. Earlier this month, the VA confirmed the first case in its system. That veteran is currently being treated for coronavirus at a VA facility in Palo Alto, California. Fifteen other cases, either confirmed or presumed to be positive, have since surfaced at VA facilities in Nevada, Louisiana, Washington state, Georgia, South Dakota and Colorado." [CNN, 3/14/20]

The Department Of Veterans Affairs, Whose Leaders Lacked Experience In Disaster Response Failed To Prepare For An Influx Of Patients At Its Medical Centers. According to the New York Times, "At the Department of Veterans Affairs, workers are scrambling to order medical supplies on Amazon after its leaders, lacking experience in disaster responses, failed to prepare for the onslaught of patients at its medical centers." [New York Times, 3/26/20]

The VA Inspector General's Office Released A Report Detailing Red Flags In The Department's Preparedness For The Crisis. According to the New York Times, "One example is the Department of Veterans Affairs, which is legally meant to back up the nation's health care system in an emergency. On Thursday, the Office of Inspector General at the department released a report detailing red flags in its preparedness for the crisis.The secretary, Robert L. Wilkie, has no experience in emergency management, and he has been largely absent from public briefings with senior officials on the pandemic. 'Secretary Wilkie has attended 20 coronavirus task force meetings since he joined the task force on March 3,' said Christina Mandreucci, a spokeswoman for the department. Mr. Wilkie recently fired his second in command, who had worked in past disasters, and his head of emergency preparedness retired." [New York Times, 3/26/20]

March 13, 2020: The VA Had Administered Only 140 Coronavirus Tests Nationwide, With Roughly 9 Percent Of Those Tests Registering Indications Of Coronavirus. According to CNN, "As of Friday, the VA says it has administered 140 tests nationwide, up from 70 just two days prior. That means roughly 9% of those tests have registered indications of coronavirus, a staggering result considering the VA provides care for millions of veterans. The VA has 3,000 test kits available, 1,000 of which were provided by the CDC and will be used first. An additional 2,000 VA-developed tests will only be used if necessary, VA spokesperson Christina Mandreucci told CNN." [CNN, 3/14/20]

The Demographic That Relied On The VA The Most Was Also The Demographic Most At Risk Of Coronavirus Related Fatalities. According to CNN, "Most concerning are staffing shortages at facilities that serve a high number of older veterans, a patient population that is among the most vulnerable to infection. 'What demographic uses VA the most and who is most at risk? Elderly people,' a former VA official told CNN. 'Where are those people located? The same places where the system is already overwhelmed.' On March 10, more than 134 nursing homes operated by the VA adopted a 'no visitors' policy in an effort to lower the risk of exposure to the coronavirus among older veterans." [CNN, 3/14/20]

MARCH: VA MEDICAL FACILITIES STRUGGLED TO MANAGE COVID-19; VA IG FOUND MORE THAN HALF OF VA CENTERS LACKED PPE AND SOME, STAFF

Despite Assertions From VA Spokespeople, Field Interviews And IG Reports Identified Severe Supply And Staffing Shortages As The Number Of Infections Increased Across VA Medical Facilities. According to The Associated Press, "More than 5,700 veterans treated by the VA have been infected by the coronavirus, and nearly 380 have died. The Labor Department is now investigating, and several Democrats in Congress plan to send a letter

Thursday calling on President Donald Trump to invoke the Defense Production Act to get more supplies for VA health facilities. The VA, responsible for the health care of 9 million military veterans, denied it was short of supplies and stressed that it follows federal health guidelines when rationing personal protective equipment like masks and gloves. 'VA's PPE conservation posture is precisely why the department has not encountered any PPE shortages that have negatively impacted patient care or employee safety,' said spokeswoman Christina Mandreucci. She said the VA has moved aggressively in recent weeks to add staff, hiring 3,183 people, including 981 nurses, from March 29 to April 11. But interviews with nurses and other employees at facilities around the country, internal VA documents, and a March report by the agency's inspector general tell another story. The facilities were short of staff and equipment like masks, eye shields, hand sanitizer and gowns. Some workers were forced to reuse masks for days or weeks, according to interviews with VA nurses. In hard-hit states like New York, a crush of coronavirus patients led to a shortage of negative pressure rooms to limit the spread of the virus, several VA nurses told the AP. The VA inspector general's staff visited more than 230 facilities in March. It found that nearly a third of the medical centers could improve their processing for screening visitors. More than half of the medical centers reported shortages of supplies and equipment including respirator masks, and 10 reported shortages of staffing mostly for nurses in intensive care units." [Associated Press, 4/21/20]

March, 2020: VA IG Found That More Than Half Of Medical Centers Reported Supplies And PPE Shortages; 10 Reported Staffing Shortages Most Commonly For ICU Nurses. According to the Associated Press, "The VA inspector general's staff visited more than 230 facilities in March. It found that nearly a third of the medical centers could improve their processing for screening visitors. More than half of the medical centers reported shortages of supplies and equipment including respirator masks, and 10 reported shortages of staffing mostly for nurses in intensive care units." [Associated Press, 4/21/20]

Trump Administration Floated Plan To Release 40,000 National Guard Covid-Deployed Troops One Day Before Benefits Kicked In

FEMA Planned To Release 40,000 National Guard Troops Just Before They Would Qualify For Benefits To Bipartisan Backlash

FEMA Official Outlined Plan To Release 40,000 National Guard Troops From Deployment As Trump's Order Ends On June 24, Just One Day Before They Would Qualify For Education And Retirement Benefits. According to Politico, "More than 40,000 National Guard members currently helping states test residents for the coronavirus and trace the spread of infections will face a "hard stop" on their deployments on June 24 — just one day shy of many members becoming eligible for key federal benefits, according to a senior FEMA official. The official outlined the Trump administration's plans on an interagency call on May 12, an audio version of which was obtained by POLITICO. The official also acknowledged during the call that the June 24 deadline means that thousands of members who first deployed in late March will find themselves with only 89 days of duty credit, one short of the 90-day threshold for qualifying for early retirement and education benefits under the Post-9/11 GI bill. The looming loss of crucial frontline workers, along with questions about whether the administration is shortchanging first responders, would require a delicate messaging strategy, the official — representing FEMA's New England region — told dozens of colleagues on the interagency call." [Politico, 5/19/20]

- **FEMA Official Acknowledged Need For Delicate Messaging Strategy To Stand Down National Guard Troops.** According to Politico, "The official outlined the Trump administration's plans on an interagency call on May 12, an audio version of which was obtained by POLITICO. The official also acknowledged during the call that the June 24 deadline means that thousands of members who first deployed in late March will find themselves with only 89 days of duty credit, one short of the 90-day threshold for qualifying for early retirement and education benefits under the Post-9/11 GI bill. The looming loss of crucial frontline workers, along with questions about whether the administration is shortchanging first responders, would require a delicate messaging strategy, the official — representing FEMA's New England region — told dozens of colleagues on the interagency call." [Politico, 5/19/20]

Bipartisan Group Of Governors And Lawmakers Pled With The White House To Extend The Federal Order For Several Months Or Until The End Of 2020. According to Politico, "Governors and lawmakers in both parties have been pleading with the White House to extend the federal order for several more months or until the end of the year, warning in a letter to Trump that terminating federal deployments early in the summer just as states are reopening 'could contribute to a possible second wave of infection.' More than 40,000 Guard members are currently serving under federal orders known as Title 32, which grants them federal pay and benefits but puts them under local command, in 44 states, three territories and the District of Columbia — the largest domestic

deployment since Hurricane Katrina. Tens of thousands of them have been working full-time since early March on a wide range of sensitive and dangerous tasks, such as decontaminating nursing homes and setting up field hospitals, along with performing tests for the virus. They've provided a crucial backup for understaffed and underfunded state public health agencies trying to contain the pandemic." [Politico, 5/19/20]

National Guard Sent Notices To State Governments To Prepare For Withdrawal, Claimed Notice Was Procedural, But Had Not Sent Notice Previously

The National Guard Sent A Notice Encouraging State Governments To Prepare For The Withdrawal Of Federal Troops Assisting With Coronavirus Relief Efforts. According to Politico, "The National Guard sent guidance to state governments on Thursday to wind down troops' federal deployment for coronavirus relief work on June 24, even as administration officials say an extension is still under discussion. The guidance, obtained by POLITICO, says Guard members' federal mission, known as Title 32, 'should culminate no later than 10 June 2020' to allow for two weeks of self-quarantine before transitioning back to the community. It also notes that Guard members must be allowed to take the paid leave they earned while serving on the front lines of the pandemic response, which state officials say would prevent them from immediately transitioning troops to state active duty and hamper their public health work." [Politico, 5/21/20]

- **State Official Refuted The Claims The Guidance Issued Was Routine Citing The Absence Of A Notice Ahead Of The Initial Campaign Expiration Date.** According to Politico, "A National Guard spokesperson confirmed the planning guidance went out, telling POLITICO it's a routine procedural step that does not preclude a future announcement of an extension. 'One has nothing to with the other,' the spokesperson said. 'Whenever an order is issued, a set of implementing orders are issued as well.' The spokesperson added that the National Guard is 'currently working with DoD and FEMA to determine the best ways to care for our Guard men and women in this unprecedented response.' But state officials who have been pushing the federal government for an extension say they did not receive similar guidance ahead of the original expiration date of May 31, and they are taking the new missive as an ominous sign." [Politico, 5/21/20]

Trump, Under Pressure, Extended The National Guard Covid-19 Relief Deployment

Under Pressure From Bipartisan Lawmakers And Defense Department Officials Trump Reversed The Deadline And Extended The Deployment Of The National Guard Troops Through Mid-August. According to Politico, "The Trump administration is extending the federal deployment of more than 40,000 National Guard troops aiding coronavirus relief efforts in nearly every state and federal territory, reversing plans for an earlier cutoff following bipartisan backlash and pressure from top defense officials. The federal government will now keep funding National Guard troops across the country through mid-August, President Donald Trump tweeted Thursday. The administration was previously planning to terminate the deployment on June 24 — one day before thousands of Guard members would have qualified for key retirement and education benefits." [Politico, 5/28/20]

Trump Administration Pushed To Open Country While OSHA Operated Without Key Staff And Rolled Back Reporting Rules

Trump Promoted Sending Americans Back To Work While The Nation's Agency Tasked With Safeguarding Against Workplace Hazards Contended With Historically Low Staffing And Nearly Half Of Its Top Leadership Positions Unfilled. According to Bloomberg, "As President Donald Trump pushes to restart the economy, the federal agency that's supposed to protect employees from workplace hazards has been operating with historically low staffing. The Occupational Safety and Health Administration had only 862 inspectors at the start of the year, the smallest number since 1975, according to a report by the pro-labor, nonprofit National Employment Law Project. The total was down from 952 in 2016 and a historic high of 1,469 in 1980. 'They cannot return people to work until they protect workers on the job, and they can't protect workers on the job with voluntary guidelines,' the report's author Deborah Berkowitz, who served as OSHA chief of staff under President Barack Obama, said in an interview. […] The Berkowitz report, being released Tuesday and based on data obtained via Freedom of Information Act requests, also faults Trump's OSHA for failing to fill nearly half of its top leadership positions. The role of assistant secretary of Labor for occupational safety and health is among those currently vacant; the agency has been run by Loren Sweatt, a principal deputy assistant secretary of Labor." [Bloomberg, 4/28/20]

April 10, 2020: OSHA Eased The Enforcement Of Record-Keeping Rules, Allowing Employers To Self-Investigate And Report Cases Of Coronavirus Contracted While On The Job. According to Bloomberg, "On April 10, OSHA announced that it would ease enforcement of existing record-keeping rules so that most employers won't have to document whether employees with Covid-19 got the virus on the job. On April 13, the agency announced that it would generally try to deal with coronavirus-related complaints informally, by asking employers to investigate themselves, rather than sending in OSHA inspectors." [Bloomberg, 4/28/20]

Trump Used DPA To Order Meat Packing Plants To Stay Open As Cases At Meatpacking Plants Spiked

Tyson, JBS, And Smithfield Have Closed 15 Plants Due To Coronavirus Outbreaks; Industry Analysists Said Production Was Down 25%. According to the Washington Post, "Because of outbreaks of the novel coronavirus, over the past several weeks Tyson, JBS and Smithfield have closed 15 plants, devastating rural communities and threatening the nation's supply of beef and pork. Industry analysts say production is already down by at least 25 percent." [WaPo, 4/25/20]

Outbreaks In 30 Plants Run By Tyson, JBS, And Smithfield Resulted In 3,300 Sick And 17 Dead. According to the Washington Post, "Coronavirus outbreaks in more than 30 plants run by these companies and others have sickened at least 3,300 workers and killed at least 17, according to a review of news reports, county health reports and interviews with health officials and worker advocates." [WaPo, 4/25/20]

Tyson, JBS, And Smithfield Failed To Provide Protective Gear To Workers And Encouraged Workers To Work While Sick Even After The March 9 Social Distancing Guidelines. According to the Washington Post, "Three of the nation's largest meat processors failed to provide protective gear to all workers, and some employees say they were told to continue working in crowded plants even while sick as the coronavirus spread around the country and turned the facilities into infection hot spots, a Washington Post investigation has found. The actions by three major meat producers — Tyson Foods, JBS USA and Smithfield Foods — continued even after federal guidelines on social distancing and personal protective equipment were published March 9, according to 25 interviews with employees, elected officials, regional health officials, union leaders and federal safety inspectors as well as dozens of documents, including worker complaints filed with local and federal officials." [WaPo, 4/25/20]

Despite The Increasing Number Of Worker Deaths And Plant Closures, Trump Used The DPA To Order Meat Packaging Plants To Remain Open. According to Politico, "President Donald Trump on Tuesday night ordered meat-processing plants to continue operating, declaring them critical infrastructure as the nation confronts growing disruptions to the food supply. Meatpacking plants have become incubators for the virus as employees work side-by-side in dangerous conditions. Twenty meatpacking and processing workers have died from coronavirus, and at least 6,500 have been affected, according to the United Food and Commercial Workers International Union. At least 22 plants processing meat from pork to chicken have closed at some point after clusters of employees tested positive for Covid-19, according to UFCW. Trump is using the Defense Production Act to order the companies to stay open. 'Such closures threaten the continued functioning of the national meat and poultry supply chain, undermining critical infrastructure during the national emergency,' the order says. 'Given the high volume of meat and poultry processed by many facilities, any unnecessary closures can quickly have a large effect on the food supply chain.' The shutdowns have led to worries about meat shortages. Some economists warn that consumers could see fewer options at grocery stores starting in May if plants continue to shut down at the same pace." [Politico, 4/28/20]

April, 2020: USDA Approved The Most Line Speed Waivers For Poultry Ever In A Single Month

April, 2020: USDA Approved The Most Line-Speed Waivers For Poultry Slaughterhouses In A Single Month Potentially Putting Worker Safety And Public Health At Risk. According to Bloomberg Law, "The federal government in April approved a record number of line-speed waivers for poultry slaughterhouses—the most ever in a single month—as the Covid-19 public health crisis makes it harder for customers to find staple foods at grocery stores in many parts of the country. The U.S. Department of Agriculture granted 15 line-speed waivers this month to allow poultry plants to exceed the normal maximum of 140 birds per minute. That's the most waivers approved in any single month and one more than the total for all of 2019, according to a database maintained by USDA's Food Safety and Inspection Service. Line-speed waivers have been a controversial topic in the poultry and

pork sectors in recent years, but the flurry of approvals for poultry plants this month creates a dual danger that could hinder efforts to combat the public health crisis, worker-safety advocates, union officials, and labor lawyers told Bloomberg Law." [Bloomberg Law, 4/22/20]

For Counties With Meatpacking Plants, Confirmed Cases Of Coronavirus Spread At More Than Double The National Rate In The Week After Trump's Executive Order

In Counties With A Meatpacking Plant, Coronavirus Spread At A 40% Rate In The Week After Trump's Executive Order Compared To 19% Nationally. According to Bloomberg, "The coronavirus spread at more than twice the national rate in U.S. counties with major meatpacking plants in the first week after President Donald Trump issued an executive order directing that they be reopened. Confirmed Covid-19 cases jumped 40% during the week following the order in counties with major beef or pork slaughterhouses, compared with a 19% rise nationally, according to a Bloomberg News analysis of data compiled by Johns Hopkins University. The counties accounted for 10% of new confirmed cases from April 28 to May 5 while representing just 7.5% of the U.S. population." [Bloomberg, 5/11/20]

TRUMP DESIGNATED FARM LABOR AS AN ESSENTIAL SERVICE, BUT FAILED TO IMPLEMENT SAFETY MEASURES FOR WORKERS

The Trump Administration Designated Farm Laborers As Essential Workers, But Failed To Issue Guidelines For Protecting Worker's Healthy And Safety While On The Farm. According to Politico, "The Trump administration has deemed the millions of people who are cutting lettuce, picking cherries, packing peaches and otherwise getting food from farm to table to be 'essential workers' but is doing little to keep them healthy during the pandemic. The lack of federal action has left state and industry leaders scrambling to shield their farmworkers from the coronavirus. As harvest season ramps up, farmers across several major produce states have installed more hand-washing stations, instructed workers to keep their distance and provided face masks — but those efforts have been inconsistent and largely voluntary. Farmworkers have long lived in the shadows of the American economy, an itinerant community that includes low-income citizens, about 250,000 legal guest workers from Mexico and Central America and hundreds of thousands of undocumented immigrants who might travel from farm to farm with the changing harvest seasons. Now, labor advocates are warning that continuing to ignore this vulnerable population not only threatens lives but endangers the food supply. 'We're very concerned that the worst is yet to come,' said Bruce Goldstein, president of Farmworker Justice, an advocacy group. 'With the limited protections that are available, we're afraid that there's going to be a substantial increase in Covid-19 cases among farmworkers." [Politico, 5/12/20]

The CDC Health-Safety Recommendations Pertaining To Essential Workers Went Unenforced By The Trump Administration And Inquiries About Supporting Farm Laborers Were Deferred To The Department Of Labor Where They Were Subsequently Dismissed. According to Politico, "The Centers for Disease Control and Prevention has issued recommended guidelines that cover a range of critical employment sectors, including farm labor. But the Trump administration has not made the guidelines mandatory, as the Department of Labor is empowered to do on an emergency basis. And the CDC has not released recommendations specific to field workers like it did for meatpacking employees as that industry fell into chaos in recent weeks. Since March, advocates like the United Farm Workers have been urging federal agencies and states to make existing Covid-19 recommendations enforceable and to go further, ensuring benefits like paid sick leave, access to health care and a major revamp of housing standards that would allow for social distancing. The CDC referred inquiries about workplace requirements to the Labor Department, which said in a statement, 'Because of the enforcement authorities already available to it and the fluid nature of this health crisis, OSHA does not believe that a new regulation, or standard, is appropriate at this time.'" [Politico, 5/12/20]

Trump Administration Mismanaged PPP Program

BIG COMPANIES TOOK PPP MONEY MEANT FOR SMALL COMPANIES

Big Companies Took Advantage Of First Rounds Of Loans. According to Politico, "Now, with controversy swirling around big companies taking advantage of the first rounds of loans, small businesses may be in for another shock with funding set to run dry again shortly after it's made available to the program, which was set up to avert

massive layoffs amid the coronavirus pandemic. The loans have proved enticing to businesses because they can be forgiven if borrowers maintain their payroll." [Politico, 4/20/20]

Publicly Traded Companies And Restaurant Chains Took In Tens Of Millions In Paycheck Protection Program Loans. According to Politico, "Anger among small businesses is growing after it was revealed that a series of publicly traded companies and large restaurant chains with access to the capital markets were among the first to secure tens of millions of dollars in Paycheck Protection Program loans before they were depleted. While lawmakers focused the program on businesses with fewer than 500 employees, it also allowed restaurant and hotel companies to apply for loans if each of their locations didn't exceed the 500 employee cap." [Politico, 4/20/20]

Aspen Institute Took $8 Million In PPP Funds Despite A $115 Endowment And Billionaire Board Of Trustees. According to the Washington Post, "The Aspen Institute think tank accepted more than $8 million in federal small-businesses funds despite having a $115 million endowment and a board of trustees populated by billionaires. As with other larger employers — including public companies, the Los Angeles Lakers and private prep schools — it does not appear that the Aspen Institute violated the rules of the program, managed by the Treasury Department and the Small Business Administration. Aspen, a nonprofit organization forced to shutter its influential leadership conferences, employs about 430 people full time, below the program's 500-employee threshold for most employers to qualify. But many other large recipients have decided to return money from the Small Business Administration fund, called the Paycheck Protection Program, with executives acknowledging they have access to capital that many smaller, independent employers do not." [Washington Post, 5/13/20]

SMALL BUSINESS ADMINISTRATION FAILED TO DISCLOSE CHANGES TO THE EMERGENCY LOAN PROGRAM TO THE PUBLIC

With A Backlog Of Millions Of Applicants, The SBA Cut A Small Business Disaster Loan Individual Company Cap From $2 Million To $150,000 Without Public Notice And Restricted The Acceptance Of All New Non-Agricultural Loan Applications. According to The Washington Post, "An emergency disaster lending program for small businesses has been so overwhelmed by demand that it has significantly limited the size of loans it issues, while blocking nearly all new applications from small businesses, according to people familiar with the situation. The Economic Injury Disaster Loan program is a long-standing Small Business Administration program that's separate from the new Paycheck Protection Program, which has challenges of its own. Congress gave the disaster loan program more than $50 billion in new funding in recent relief bills to offer quick-turnaround loans to businesses slammed by the coronavirus pandemic. But by many accounts, it is failing spectacularly. After initially telling businesses that individual disaster loans could be as high as $2 million, SBA has now imposed a $150,000 limit without publicly announcing the change, said people familiar with the situation who were not authorized to speak publicly. Additionally, the agency has faced a backlog of millions of applications for the disaster loan program for the past several weeks, several SBA officials have said. The SBA has been so overwhelmed by demand that it is now allowing only agricultural interests to submit applications as it works through an enormous backlog. Key Republican senators had been pushing hard for farmers and agriculture companies to be able to tap the program, and they are now being prioritized over other prospective borrowers. Agency officials have said the holdup is because of a lack of funding and an unprecedented crush of applications." [Washington Post, 5/7/20]

A SYRINGE MANUFACTURER MANAGED TO SECURE MILLIONS IN BOTH FEDERAL CONTRACTS AND PPP FUNDS DESPITE A 41% INCREASE IN FIRST QUARTER SALES

Syringe Manufacturing Company Secured A $83.8 Million Deal With Health And Human Services To Produce Millions Of Needles And Syringes Just Weeks Before Receiving $1.4 Million PPP Loan Despite First A Quarter Sales Increase Of 41.8%. According to NBC News, "The federal coronavirus response created a reversal of fortune for Retractable Technologies Inc., a small syringe manufacturing company overlooking Lewisville Lake on the northern edge of suburban Dallas. In late March, the Department of Health and Human Services began drafting an $83.8 million order for RTI to produce the lion's share of roughly 330 million needles and syringes for a future COVID-19 mass vaccination campaign. That coincided with private business brisk enough for the company to report a 41.8 percent increase in first-quarter sales compared with the same period in 2019, according to one of its filings with the Securities and Exchange Commission. But despite its good fortune, a few weeks later, on April 17, RTI secured a $1.4 million hardship loan under the Paycheck Protection Program, or PPP. That's the program Congress set up to offset the economic impact of the coronavirus pandemic by giving cash-

strapped small businesses enough money to keep workers on the payroll while commerce slowed. On May 1, the nearly $84 million government contract came through. During those months of good news, RTI's stock price surged, moving from $1.53 per share on Jan. 2 to $7.38 per share by the close of business on June 19. One of the biggest beneficiaries of the 382 percent spike was Renaissance Technologies, a hedge fund that held more than 1.2 million shares of RTI as of March 30." [NBC News, 6/30/20]

Trump Administration Failed To Disburse Funds Allocated Through The CARES Act

Mid-May: Congressional Oversight Commission Report Found That Treasury Had Spent "Very Little" Of $500 Billion Created By CARES Act In March. According to the Washington Post, "But while the Treasury Department has rushed to implement some stimulus programs, such as sending $1,200 checks to 140 million households and mobilizing a small-business lending program, other congressionally approved assistance funds are off to a much slower start. The Congressional Oversight Commission, a new body, released a report on Monday finding that the Treasury Department had spent very little from a $500 billion fund created by the Cares Act in March to help businesses and local governments, even though many of these entities have asked for immediate help." [WaPo, 5/18/20]

Treasury Announced Five Lending Facilities. According to the Washington Post, "The Treasury Department has announced five lending facilities to disburse other portions of the money, including a Main Street Lending Program that is supposed to help small and medium-size businesses. Lawmakers have been particularly focused on this program." [WaPo, 5/18/20]

Only One Treasury Lending Facility Had Received Funding; The Secondary Market Corporate Credit Facility That Was Created To Purchase Corporate Debt. According to the Washington Post, "The report describes the lending facilities the Treasury Department has created to operate through the Federal Reserve and says only one of them has received funding. The Secondary Market Corporate Credit Facility is supposed to purchase corporate debt and has received $37.5 billion." [WaPo, 5/18/20]

Trump Administration Spread Coronavirus Among Immigration Detainees Despite Months Of Warnings

ICE DETENTION CENTERS SAW A SIGNIFICANT SPREAD OF COVID-19

ICE Confirmed Roughly 3,000 Coronavirus Positive Detainees Across Its Detention Centers, With Ongoing Domestic And Deportation Flights Transferring Detained Symptomatic Migrants Within And Outside The US. According to The New York Times, "So far, ICE has confirmed at least 3,000 coronavirus-positive detainees in its detention centers, though testing has been limited. We tracked over 750 domestic ICE flights since March, carrying thousands of detainees to different centers, including some who said they were sick. Kanate, a refugee from Kyrgyzstan, was moved from the Pike County Correctional Facility in Pennsylvania to the Prairieland Detention Facility in Texas despite showing Covid-19 symptoms. He was confirmed to have the virus just a few days later. 'I was panicking,' he said. 'I thought that I will die here in this prison.' We also tracked over 200 deportation flights carrying migrants, some of them ill with coronavirus, to other countries from March through June. Under pressure from the Trump administration and with promises of humanitarian aid, some countries have fully cooperated with deportations." [New York Times, 7/10/20]

ICE TRANSFERS OF DETAINEES SPREAD CORONAVIRUS RESULTING IN AT LEAST ONCE SUPER SPREADING EVENT

ICE Transfers Of Detainees Spread Coronavirus. According to Reuters, "Public health specialists have for months warned the U.S. government that shuffling detainees among immigration detention centers will expose people to COVID-19 and help spread the disease. U.S. Immigration and Customs Enforcement (ICE) has continued the practice, saying it is taking all necessary precautions. It turns out the health specialists were right, according to a Reuters review of court records and ICE data. The analysis of immigration court data identified 268 transfers of detainees between detention centers in April, May and June, after hundreds in ICE custody had already

tested positive for COVID-19, the disease caused by the novel coronavirus. Half of the transfers Reuters identified involved detainees who were either moved from centers with COVID-19 cases to centers with no known cases, or from centers with no cases to those where the virus had spread." [Reuters, 4/17/20]

A Transfer Of 74 Detainees From FL And AZ To VA Resulted In A Super Spreading Event. According to Reuters, "At least one transfer resulted in a super-spreading event, according to emails from ICE and officials at a detention center in Farmville, Virginia, court documents and interviews with more than a dozen detainees at the facility. Until that transfer, only two detainees had tested positive at the Farmville center — both immigrants transferred there in late April. They were immediately isolated and monitored and were the only known cases at the facility for more than a month, court records state. Then on June 2, ICE relocated 74 detainees from Florida and Arizona, more than half of whom later tested positive for COVID-19. By July 16, Farmville was the detention center hardest-hit by the virus with 315 total cases, according to ICE data." [Reuters, 4/17/20]

Public Health Experts Had Warned ICE For Months

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